

SEPTEMBER 21, 1987

\$1.95

# TIME

**John Paul II  
Lands and  
Listens**

A large, high-contrast portrait of Robert Bork, a man with a grey beard and mustache, wearing a black judicial robe. He is looking directly at the camera with a serious expression. The background is a mottled, brownish-gold color.

# BORK

**How a young socialist became  
a conservative and  
one of history's most controversial  
Supreme Court nominees**



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Time Inc. Magazine Group

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Time Inc. representatives will soon be explaining the benefits of the Plan to our advertisers. We've included some highlights of the Plan on the overleaf, and more information may be obtained from any Time Inc. advertising sales office.

We've created the MAX-PLAN to be a sound, rewarding incentive program. We invite all our advertisers to take advantage of its substantial benefits.



Reginald K. Brack, Jr.  
President  
Time Inc. Magazine Group



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### Highlights of the MAX-PLAN

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- The MAX-PLAN will begin in November 1987, and continue through 1989. It is being introduced as a two-year program.
- The Plan is based on the *share* of an advertiser's total magazine spending rather than on a dollar volume total. Therefore, it can be of value to a wide range of advertisers, including those whose budgets are stable or declining.
- The Plan involves *no* group advertising commitment. It is *not* a group-purchase plan. To participate, advertisers simply indicate that they would like to take part in the program in their next contract year.
- MAX-PLAN incentives are awarded in the form of credits toward additional advertising—MAX-PLAN Credits—to be used in the participating magazines.
- Credits may be earned by investing in one magazine or in any combination of the participating magazines. And MAX-PLAN Credits may be used to buy pages in one or any combination of these publications.
- No commitment regarding a specific spending level is required to join the Plan. Credits are earned on a contract-year basis, and the term of that contract year is defined by the advertiser.
- There is no limit to the total volume of MAX-PLAN Credits an advertiser may earn.
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## THE MAX PLAN

Time Inc. Magazine Group





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LOOK TO US  NORTHWEST AIRLINES

**COVER: The battle begins over Robert Bork's nomination to the Supreme Court 12**

The Senate's verdict on the controversial nominee could affect the course of American law and society well into the 21st century. ► Bork's intellectual odyssey has led him from socialism to an iconoclastic conservatism. ► The judge has criticized many landmark decisions, but would he try to overturn them? ► How a changed court majority might affect abortion. See NATION.

**RELIGION: On his U.S. pilgrimage, Pope John Paul II aims to teach and to listen 60**

Surrounded by adulatory crowds and a formidable blanket of security, the Pontiff begins his eleven-day tour. Proclaiming himself a pilgrim upon arrival, he closets himself for a one-on-one meeting with President Reagan, and responds carefully to the divergent voices of the American religious melting pot—Catholic and non-Catholic alike—that are raised as he arrives.

**DESIGN: This just may be a golden age for Japan's architects and graphic artists 68**

After centuries of hewing to tradition, followed by decades of Western imitation, Japanese designers now feel free to create singular, exciting hybrids of East and West. The new architecture is ambitious and confident, with stars like Arata Isozaki getting international notice. Graphics aspire to art, interiors are rich with allusion, and never before has there been such ferment.

**34 World**

Talk of peace worries the U.S.-backed *contra* rebels. ► Libya loses a base and a plane in its war with Chad. ► Sad whispers in Cuba.

**50 Economy & Business**

Megahouses spread across the landscape. ► The Government helps a Texas bank stay afloat. ► A look inside the Toshiba scandal.

**56 Medicine**

After 22 hours of surgery, Siamese Twins Patrick and Benjamin Binder are separated. ► A Koop warning on AIDS and health care.

**75 Books**

Toni Morrison's *Beloved* evokes the violent desperation of a slave struggling for freedom. ► A brilliant novel by Britain's Ian McEwan.

**8 Letters**  
**57 Science**  
**67 Sport**  
**74 Cinema**  
**74 Milestones**  
**79 People**

**78 Art**

At Manhattan's Whitney Museum, Red Grooms' exuberant, cartoony "ruckuses" are easy to like—too easy, in fact.

**80 Show Business**

Hollywood is finding drama in South Africa's racial turmoil, as a film about Black Leaders Nelson and Winnie Mandela shows.

**82**

**Essay**  
 States, like people, can go mad. How is the world to react? First, be sure never to underestimate the crazy state. Second, resist.

**Cover:**  
 Photograph by William Coupon

## A Letter from the Publisher

When TIME ran a cover story on the crisis in American child care (June 22), some readers wrote to ask what our company was doing to solve the problem within its own ranks. It was an appropriate question. Time Inc. was then in the process of putting together a pilot child-care program for its New York City employees. The new venture, called the Work and Family Program, will make its debut this week. Says Jane Cummins, an assistant manager in Human Resources and a member of the planning committee: "We want to provide a full service for employees with children of all ages."

The committee, which includes Management Trainer Karol Rose and Account Manager Joan Dauria, agreed that a day-care facility at Time Inc.'s Rockefeller Center headquarters was impossible. "Commuting in New York is difficult at best, but especially when you have an infant or young child," explains Rose, co-author of the book *The Employer's Guide to Child Care* (Praeger). "And we have people who work unusual schedules, including weekends and nights." Adds Dauria: "We needed to be more flexible, letting parents make their own choice." The trio looked for a firm that would provide information for parental decision making as well as handle emergency requests outside work hours.



Tuned in: Rose, top, Dauria and Cummins

The result is a program that will offer staff members a telephone-counseling service and in-house workshops. The former will be provided by Child Care Systems, Inc. Employees can call a toll-free number for help on issues ranging from how to find a last-minute baby-sitter to how to judge a prospective child-care center. For working parents unsure how to find suitable care for their children, C.C.S. will provide information tailored to their pocketbooks, locations and special needs. In each workshop, some 20 employees will share information and hear advice from experts on the care of children and elderly parents.

If the New York City pilot program succeeds, it will be expanded to other cities. Says Human Resources Vice President Susan Geisenheimer: "Working and taking care of a family involve stress and juggling. What a company does can make a real difference." She also appreciates the plan on a personal level. Like Cummins, Rose and Dauria, she is a working parent. "As the mother of a 3½-year-old, I know what it is like," says Geisenheimer. "That's why I feel so strongly about our program."

Robert L. Miller

## Do you know enough about the Constitution to become a citizen?



UNITED STATES CITIZENSHIP EXAMINATION  
Government by Constitution

30. What is the highest law of the United States of America?
31. What was the first Constitution of the United States called?
32. What are some of the rights guaranteed by the Bill of Rights to all the people?
33. What is the usual way to make an amendment?
34. What are amendments 11 - 26 to the Constitution?

Take this test, which is given to all immigrants before they're granted U.S. citizenship. If you're like the majority of Americans, you're not familiar enough with the Constitution to pass.

59% of the American public does not know what the Bill of Rights is. 49% thinks the President can suspend the Constitution. One-fourth of our nation's high-school seniors think it is illegal to start a new political party.

These statistics mean that, even as we celebrate the bicentennial of the Constitution, our children are in danger of losing the heritage of liberty it represents.

The Foundation for the Commemoration of the United States Constitution—an arm of the Bicentennial Commission authorized by the President and Congress—is a permanent educational trust with a specific goal: to insure that the people of the United States, especially young people, understand their legacy.

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Send your check today, payable to "Foundation for the Constitution," and help make certain that all Americans know as much about the rights and laws we live by as the newest citizen. In acknowledgement of your support, we'll send you a free pamphlet on the Constitution, as well as a "We The People" lapel pin and a set of five Constitution Commemorative postage stamps.

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## Letters

### Superstudents

#### To the Editors:

Your article on the outstanding performance of Asian-American students [EDUCATION, Aug. 31] describes a situation that has been apparent to educators for years. As a junior high school teacher, I attribute the roots of this phenomenon to parental attitude. While many parents criticize teachers for giving too much homework, the Asia-American mother or father frequently requests additional work for the child. When I told one non-Asian parent that perhaps his youngster would benefit from bringing his book home more often, the parent answered, "Bring his book home? This isn't college."

Ingrid Darzins  
Itasca, Ill.



It is 3 a.m. in the main library of the University of Minnesota. Gathering my books to leave, I look up to see a room full of Asians staring at me quizzically. I am a Caucasian alien in the realm of the overachievers.

Richard Currie Smith  
Minneapolis

I hope that instead of being targets of cynicism, envy and ever lurking bigotry, Asian-American students will serve to motivate if not inspire their peers to strive for the same goals.

Primo R. Pacis  
Baldwin Park, Calif.

Your feature on Angie Tang is distressing. She is smuggled into the U.S. from Canada, lies about an alien-registration card and then tells us she is a conscientious student. Conscientious about what? Lying? Deceit?

David T. McKee  
Scottsdale, Ariz.

The practice, performance and perseverance of the Asian-Americans have paid off, but how successful will these students be in the job market? Many of those who excel in the classroom will work un-

der their non-Asian counterparts in the boardroom. They will face discrimination or, worse, be hired as token Orientals to fill a minority quota. You overlooked the fact that these young students have no choice but to work hard if they are to find decent employment in the U.S.

Kristina Cho  
Middletown, Conn.

You have offended many by using the flags of Communist Kampuchea and Communist Viet Nam to represent the ethnic origins of Asian-American students from those countries. Most of these whiz kids and their families came to the U.S. to escape from precisely those flags and what they represent: mass murder, torture, harsh imprisonment, large-scale repression and denial of opportunities.

Raphael Cung  
Baltimore

In using the current flags of the countries of origin of the students, TIME did not mean to imply that they had any loyalty to the present regimes.

You skimmed over the one factor that distinguishes Asian-American students from others. Most youngsters today, who take the line of least resistance. As one white Yale sophomore said, "If you are weak in math or science and find yourself assigned to a class with a majority of Asian kids, the only thing to do is transfer to a different section." For me, that says it all.

Selma Lury  
Walnut Creek, Calif.

Did you hear the definition of the Asian-American school dropout? He didn't get his Ph.D.

Gerson Faden  
Deerfield Beach, Fla.

### Clandestine Operations

Your story "The Secret Army" [NATION, Aug. 31] gave the impression that an army within an army is new. In Southeast Asia in the mid-1960s, an elite secret force was organized within the U.S. Army. The twelve-man teams, often assisted by Nung tribesmen, would go on monitor-and-annihilate missions in Laos, Cambodia and North Viet Nam. They hit movements on the Ho Chi Minh Trail and went behind enemy lines to rescue downed pilots. So secret was this group that its members wore non-standard-issue combat dress, including non-U.S.-made boots, so that they could not be tracked by the Viet Cong. Their weapons were often Swedish-made, and members carried no IDs so that if they were captured, the U.S. could deny involvement. Some of the most dangerous missions were performed by these units. Because their movements were classified, their heroism went unrecognized, and decorations that were deserved went unawarded.

Robert Fillman  
Middletown, Conn.

### Life in Newark

I was pleased to note that Newark ranked among the 70 top U.S. cities in which to live according to the August issue of your sister publication MONEY. However, your feature on the Wolf family in Newark [NATION, Aug. 24] is an example of the stereotyping this city receives from the press. True, there are families like the Wolfs who are caught in the cycle of poverty, joblessness and drug abuse. But this is only a small frame of the whole picture that is Newark. There are many black families who have benefited from the changes in the city since the riots of 1967. We do have a black middle class.

Sharpe James, Mayor  
Newark

### Doctor's Dilemma

Questions being raised about the 36-hour day worked by resident doctors [MEDICINE, Aug. 31] focus on a frustrating problem. We must not forget that American medical education is the best in the world. When we allow legislatures and courts to make rules governing money and manpower in our hospitals, we threaten that education. Furthermore, the poor, who frequently depend on resident physicians, will suffer most when changes are legislated. Instead, we should allow medical educators who understand the problem best to address the situation.

Jack D. McCue, M.D.  
Vice Chairman, Department of Medicine  
Baystate Medical Center  
Springfield, Mass.


A young resident doctor's life is summed up in four Ds: depression, drinks, drugs and divorce. To that we can add debts, destruction of patients' health and death (suicides). Without weekends at home or time for social life, newspapers and TV, aren't we residents reduced to being merely another lifesaving machine?

Allen B. Francis, M.D.  
Los Angeles

It is totally unreasonable to expect students to learn about diseases and illnesses in the fragmented manner proposed in the new system of reduced working hours for residents. When these doctors journey into the real world, will they tell patients with diabetes or pneumonia, "Sorry, I've been trained to think for only twelve or 16 hours. I have already worked 14 hours, so I cannot help you because your condition will take five more hours; which is beyond my limit." Those who dedicate themselves to medicine must know their limits by having gone through the difficult resident training. If medical students do not understand this, then they dare not assume the responsibility of caring for the sick.

Morton Paul Klein, M.D.  
Williamsburg, N.Y.





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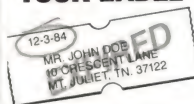
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## Letters

"Re-Examining the 36-Hour Day" is 40 years overdue. Do the dinosaur doctors you quote, who subscribe to this ridiculous form of medical training, also believe that if the outhouse was good enough for Granddad, there is really no need to install plumbing? Come on, now. A teaching hospital has enough critical cases a day so that a resident does not have to remain on duty 36 hours to gain knowledge of a disease.

Stanley Grosshandler, M.D.  
Clinical Associate Professor, Anesthesia  
University of North Carolina, Chapel Hill  
Raleigh, N.C.

The arguments in favor of keeping the superhuman training program for medical residents appear hollow. We need to examine carefully the advice offered by those who trained in the era when medicine had so little to offer that a resident could play "his guitar to while away his hours on call." Such is the case with the argument presented by Dr. Robert Petersdorf, president of the Association of American Medical Colleges, who would encourage residents to camp out at the hospital for the duration of the particular illness. He fails to realize that a trainee following his advice would need to be at the bedside of his cancer, emphysema, diabetes or stroke patients anywhere from a week to a few years.

Ricardo L. Sanchez, Senior Resident  
The Johns Hopkins Medical Institutions  
Baltimore

## Balancing Populations

Your headline about my book *The Birth Dearth* (ETHICS, Aug. 24) asks, "Is it racist to urge the West to have more babies?" Then your article goes on to imply that I favor "born-again nativism." A nativist, and racist, would surely be opposed to increasing legal immigration in America; after all, about 80% of our new immigrants are Hispanic, black and Asian. In my book I come out solidly for more immigration. Further, the experts you cite suggest it is immoral to advise one group of nations to encourage births while discouraging that policy for other countries. What is wrong with that? The Western nations now have the lowest sustained fertility rates in all history, rates that lead to ever diminishing numbers and to major personal, economic and geopolitical concerns. On the other hand, the Third World has very high fertility rates, and those high rates lead to other problems. These are two separate issues, and they ought to be thought about in that way.

Ben J. Wattenberg, Senior Fellow  
American Enterprise Institute  
Washington

LETTERS TO THE EDITOR should be addressed to **TIME**, Time & Life Building, Rockefeller Center, New York, N.Y. 10020, and should include the writer's full name, address and home telephone. Letters may be edited for purposes of clarity or space.

## TIME, SEPTEMBER 21, 1987

TIME/SEPTEMBER 21, 1987

COVER STORIES

# Advise and Dissent

*The verdict on Robert Bork could change the course of U.S. law*



The inquiry promises to be a grand piece of political theater, with enough ideological conflicts, impassioned players and historic resonance to make it a worthy sequel to this summer's Iran-*contra* civics lesson. But the hearings into the nomination of Robert Bork as the nation's 104th Supreme Court Justice offer something more. At issue on the 200th birthday of the Constitution will be the most fundamental questions at the heart of that document and in the soul of the nation it constituted: What inalienable rights—ranging from free speech to equal justice to personal privacy—are guaranteed to citizens by the highest law of the land? Because Bork's ascension to the chair of Lewis Powell could decisively shift the court to the right on these issues, the outcome could affect the course of American law and society well into the 21st century.

This Tuesday the bearish federal judge and former law professor, who is as

amiable in person as he is controversial in his concepts, will begin three days of intensive grilling by the 14 members of the Senate Judiciary Committee. Bork and his supporters will argue that he is a fair, open-minded, brilliant jurist whose philosophy of judicial restraint represents a reasonable antidote to 30 years of excessive social activism by the court. His foes, led by Chairman Joseph Biden, will seek to show that he is a right-wing radical whose opinions and writings reveal a reading of the Constitution so constricted as to threaten basic principles of social justice and individual liberties that the nation now takes for granted.

The battle over Bork could be the culminating ideological showdown of the Reagan era. After nearly seven years in office, the President has altered the tenor of the nation's political debate, riding and guiding the pendulum swing from the liberal Zeitgeist of the 1960s to the conservative climate of the '80s. Yet for all the talk of a Reagan Revolution, for all the Presi-

dent's personal popularity and success in changing tax and spending policies, the social agenda of the New Right has remained largely unfulfilled. When he nominated Bork, Reagan said that the judge "shares my view" of the proper role of the court.

Thus, to a great many people around the country, the Bork confirmation struggle is nothing less than a fight for the soul of American society. Evangelists like Jerry Falwell and Pat Robertson speak of a Bork appointment as a kind of salvation for a morally misguided Supreme Court. Exulted *Human Events*, a right-wing journal: "The President... could advance his entire social agenda—from tougher criminal penalties, to curbing abortion-on-demand, to sustaining religious values in the schools, etc.—far beyond his term in office."

The liberal call to arms was proclaimed by Senator Ted Kennedy just hours after the nomination was announced. Said he: "Robert Bork's America is a land in which

The nominee: as amiable in person as he is controversial in his judicial concepts



women would be forced into back-alley abortions, blacks would sit at segregated lunch counters, rogue police could break down citizens' doors in midnight raids, schoolchildren could not be taught about evolution, writers and artists would be censored at the whim of Government."

The hearings will be only the first phase of the proceedings. Biden says the Judiciary Committee will make its determination—favorable, unfavorable, no recommendation—but will vote the matter out to the full Senate for consideration next month, even if a majority of the committee ends up opposing Bork. If, however, Bork is given an unfavorable report, Biden says, "I would hope the President would withdraw the nomination and send up another name. If Bork cannot convince the committee, then he probably would lose a vote on the floor as well." Given the stakes involved, Reagan is sure to ignore such advice, especially if the committee vote is close. The full Senate now seems about evenly split on the issue, with 30 or so Senators genuinely undecided.

Those fence sitters have been the targets of one of the most aggressive congressional lobbying drives in recent memory. "I've never seen this intensity for a campaign before," says Ralph Neas, executive director of the Leadership Conference on Civil Rights, the umbrella organization coordinating the anti-Bork juggernaut. "People are looking at this as all our previous battles wrapped into one." Says Tom Korologos, a noted Republican lobbyist retained by the White House to fight for Bork: "Rarely have I seen both left and right so vehement in their zeal."

The left, in particular, has waged its fight with an al-

most palpable sense of vengeance. Some liberals want to make up for their leadership's rather lax opposition to the promotion of William Rehnquist to Chief Justice and the appointment of conservative Antonin Scalia to the court last year. Moreover, with only 16 months remaining in the Reagan Administration, the Bork issue has become a device to galvanize and unify the disparate interest groups on the left. Neas is overseeing a "megacoalition" of prominent liberal organizations, including the N.A.A.C.P., Common Cause, People for the American Way, the National Organization for Women and the National Abortion Rights Action League. The coalition has published a half-dozen scholarly analyses of Bork's record and coordinated demonstrations against the nomination around the country.

Last month the American Civil Liberties Union formally called for Bork's rejection. The only other court nominee the A.C.L.U. has officially opposed was Rehnquist in 1971. Earlier in August, the AFL-CIO came out against Bork, citing his "overriding commitment to the interests of the wealthy and powerful."

The most surprising blow to Bork was dealt by the American Bar Association, which damned him with divided praise. Though the A.B.A.'s committee voted to grant Bork its highest rating, "well qualified," four of the 15 members felt that the judge was "not qualified." Given that the A.B.A. has unanimously approved the vast majority of court nominees over the past three decades, the number of dissents was striking. While most critics have attacked Bork on ideological grounds, the

A.B.A. dissenters were not supposed to have even considered the judge's political philosophy. According to the committee's official guidelines, members must judge nominees solely on "professional qualifications—competence, integrity and judicial temperament."

"The liberals are wreaking havoc on the whole confirmation process," says Dan Casey of the American Conservative Union. "We are reluctant to engage in that." Instead, conservative groups have concentrated on mailings to their members. One statement charges that the anti-Bork movement "is a consortium of extremists, kooks, weirdos and America-haters—the likes of which we have not seen since Jane Fonda held fund-raising dinners for George McGovern."

Unlike the right-wing activists who hail Bork for his ideological bent, Reagan and his men have gone out of their way to present the nominee as a mainstream jurist who decides cases with a completely open mind. "If you want someone with Justice Powell's detachment and statesmanship," said the President in a speech last July, "you can't do better than Judge Bork." The White House distributed to key Senators a 70-page briefing book outlining many of Bork's rulings and proclaiming that the judge was a model practitioner of "judicial restraint."

The staff of the Democratic-led Judiciary Committee promptly responded with a 72-page study of its own. It criticized the White House report for its "major inaccuracies" and "omissions" regarding Bork's record. Citing scores of Bork's articles and decisions, the report defines the nominee as an "extremely conservative activist," not a "genuine apostle of

In Boston: one of dozens of anti-Bork rallies that have been held around the country







Biden, right, confers with Heflin, one of the three swing votes on the Judiciary Committee. Bork's foes in the Senate will seek to show that he is a right-wing ideologue.

judicial moderation and restraint." The battle of the briefing books continued through the weekend: the Justice Department released a 240-page rebuttal of the half-dozen anti-Bork reports produced over the past two months.

Some Reagan supporters fault the President for trying to depict Bork as a centrist. Bruce Fein, a conservative legal scholar and former Reagan Justice Department official, gives the Administration's strategy an A-plus for "ineptitude

and cuteness." Contends Fein: "It's counterproductive because in the long run jurisprudence won't change unless the President says, 'I campaigned because we wanted to change the Supreme Court, and Bork represents the kind of judge who will correct the errors the court has made in the past.'" Fein believes the attempt to portray Bork as a moderate will collapse at the hearings as soon as a Judiciary Committee member says to the judge, "The White House says you're just like

Powell. Do you agree?" Says Fein: "He can't possibly say yes."

In addition to Biden and Kennedy, criticism of Bork in the Judiciary Committee is likely to come from Paul Simon, who, like Biden, is a candidate for the Democratic nomination. Bork's most fervent support will come from two conservative Republicans, South Carolina's Strom Thurmond and Utah's Orrin Hatch. Later, when the issue reaches the Senate floor, Minority Leader Robert Dole will head the fight on Bork's behalf. The three key swing votes on the committee: Republican Arlen Specter of Pennsylvania and Democrats Howell Heflin of Alabama and Dennis DeConcini of Arizona. Last week DeConcini still did not know what to make of the controversial jurist. "I have read so much," he told TIME. "Sometimes he sounds like a moderate. At other times he seems—well, his approach seems so odd. I think he and the nation are both entitled to a full hearing and explanation."

For Chairman Biden, the hearings could provide a spark for his presidential campaign by giving him a chance to show his mettle in front of a national television audience. Yet his passion and propensity to rattle on could be his undoing. When Secretary of State George Shultz testified on South Africa last summer, Biden's angry attack on Shultz left some viewers with an intemperate image of the Senator. As Biden concedes, "Exposure is good only if you do well, only if you appear knowledgeable and fair." Both Democrat DeConcini and Republican Hatch have

## Would Roe Go?

Since the Supreme Court's 1973 *Roe v. Wade* decision striking down laws prohibiting abortion, almost 20 million pregnancies have been terminated in the U.S. Robert Bork believes that ruling is without foundation. His opinion chills women's groups and cheers right-to-life supporters, who expect Bork to become part of a new court majority that will overturn *Roe*. That outcome, however, is far from certain.

Bork's position on the law is unequivocal. "*Roe v. Wade*," he asserted to Congress in 1981, "is itself an unconstitutional decision, a serious and wholly unjustifiable judicial usurpation of state legislative authority." He does not believe the Constitution guarantees the right to privacy, the guiding principle underlying *Roe*.

Still, Bork has never said outright that he would strike down *Roe*, and of late he has even paid lip service to the judicial principle that it is better to leave certain long-settled decisions in effect if reversing them would create chaos. Bork has never declared that abortion is morally wrong, and in 1981 he testified in Congress against the "human life" bill that would have defined life as beginning

at conception. Says John Wilke, president of the National Right to Life Committee: "We're not sure Bork is against abortion. In our circles, there is substantial doubt that he is."

Nor would Justice Bork necessarily become the bellwether of an anti-*Roe* majority. The court still includes four staunch supporters of *Roe*: Harry Blackmun, the author of the decision, plus Thurgood Marshall, William Brennan and John Paul Stevens. Chief Justice William Rehnquist and Byron White both dissented from *Roe* and would probably vote against it again. Antonin Scalia is thought to be against abortion. Bork would make four firmly against. But Sandra Day O'Connor is a question mark, and may become the swing vote in any majority. While O'Connor believes the court has gone too far in preventing states from regulating abortion, she may be reluctant to toss out *Roe* completely.

Moreover, in the near future the court is not likely to hear any cases that deal with outright prohibitions against abortion. "What they're going to have," says UCLA Law Professor Julian Eule, "is cases that deal with a variety of obstacles to abortion that the states have constructed. Therefore, what the court would do, rather than say, 'We abandon *Roe v. Wade*,' is to allow increasing leeway to states to regulate the param-



Norma McCorvey, a.k.a. Jane Roe, after her admission



warned somewhat hyperbolically that if Bork's opponents on the committee attack the judge too aggressively, it could spoil the Democrats' chances of regaining the White House.

More important than all the political gambits and the thunder from both ends of the spectrum will be the testimony of one man. "If you are looking for a secret weapon in the upcoming confirmation hearings," says Hatch, "it is Judge Robert Bork. The longer he testifies before the Judiciary Committee, the more persuasive and reasoned his philosophy of judicial restraint will sound." Armed with an agile mind and a caustic wit, Bork is expected to be a formidable opponent for his critics on the committee. "Any Senator who decides to just jump in and portray Bork as some racist, some evil Neanderthal, is going to be in deep trouble," says Republican Committee Member Alan Simpson of Wyoming. Many hopeful conservatives, remembering the turnabout in public opinion during the Iran-*contra* hearings, envision Bork as "Ollie North without the medals."

To prevent a replay of the surge in sympathy for North, Biden has ordered that the table for the committee members be placed at the same level as that of the witness. In the Iran-*contra* hearings, where the congressional members sat on a dais, the television cameras made it seem that they were lecturing and hectoring the witnesses from on high.

In the television age, the way Bork comes across could be critically important. Both sides of the debate pay lip



Two of the judge's staunch Republican supporters, Thurmond and Dole, chat on Capitol Hill. Bork backers contend that he is a fair, open-minded, brilliant jurist.

service to the notion that they do not want to see the issue politicized. That objective is not necessarily all that laudable, and certainly not all that likely. The confirmation of such an ideologically controversial nominee, one whose effect on the court and the nation could be enormous for years to come, is ultimately a political matter. If Americans watching the hearings this week like what they see, if they are reassured by either Bork's mind or his man-

ner, the advice and consent of the public will certainly be felt on the Senate floor. And if the public becomes convinced that Bork's views are, as opponents charge, so far from the mainstream that they seem to threaten the rights that Americans have come to cherish, such sentiments will likewise probably prevail when the final votes are counted.

—By Jacob V. Lumar Jr.  
Reported by David Beckwith, Anne Constable and Hays Gorey/Washington

ters of the right to an abortion." More regulation would undoubtedly mean fewer abortions.

One probable step would be the court's approval of statutes that require minors to get parental permission for an abortion. On Nov. 3 the Justices will hear oral arguments in *Hartigan v. Zbaraz*, an appeal of a decision striking down an Illinois statute restricting minors' access to abortion.

But even if the court were to overturn *Roe*, abortions would not suddenly become illegal. The issue would revert to the states, and most legislatures would have to pass new laws if they wanted to ban abortions. When the *Roe* decision was handed down 14 years ago, abortion was widely available in 17 states. Currently, 14 states, including New York and North Carolina, pay the full cost of abortions for poor women, most of these states would be unlikely to abolish abortion. But other states will surely go in the opposite direction. Illinois and Pennsylvania, which have repeatedly passed laws challenging the court's rulings, would probably propose measures outlawing abortion. Pro-choice activists predict that Louisiana, Mississippi, Utah and Ohio would immediately pass some prohibition.

"State legislators will introduce bills by the score,"

says Rebecca Hagelin of the conservative lobbying group Concerned Women for America. "Some will seek to outlaw it; some will permit it only to save the mother's life." Pro-lifers suggest that only a few states would go so far as to protect the unborn from the moment of conception. More states would simply restrict a woman's ability to have an abortion without consulting her husband or parents.

Public opinion about *Roe* has always been split, a situation that was not ameliorated last week by the disclosure that Norma McCorvey, "Jane Roe" of the famous lawsuit, had not been gang-raped, as she claimed when she sought an abortion in 1970. Just as the *Roe* decision was a catalyst for the right-to-life movement, restrictions on it could galvanize millions of pro-choice activists.

"What this means for women is years of unending battles at the state level," warns Political Strategist Ann Lewis. "We will return to trench warfare." That prospect must fill politicians with dread. Since 1973, lawmakers could hide behind *Roe*, claiming that although they personally objected to abortion, the court had ruled. With Bork on the bench, they may be forced to take a stand on one of the nation's most intractable issues.

—By Richard Stengel.  
Reported by Anne Constable/Washington



Justice O'Connor, the probable swing vote on abortion

# A Long and Winding Odyssey

*Bork's evolution from socialism through libertarianism to a pugnacious conservatism*



In the summer of 1962, Robert Heron Bork, then 35, resigned his \$40,000-a-year junior partnership in Chicago's largest law firm, loaded his wife and three small children into their Chevrolet convertible and drove east to a \$15,000 job teaching law at Yale. Although some of his partners were shocked, his intimates understood. "He told me he didn't want to spend his life practicing law and cash in at the end, leaving nothing but a trail of depositions, briefs and money," recalls Economist John McGee, a friend from those Chicago days. "He wanted to leave something enduring."

The move committed Bork to the world of ideas—"trying to figure things out," as he puts it—and launched him on an intellectual odyssey that has led him from socialism to libertarianism to iconoclastic conservatism. Along the way he has demonstrated a willingness to mobilize overstatement to back up tentative thoughts that defy the prevailing wisdom. "Departing from conventional views of the time is the only way to evidence intellectual interest," says Aaron Director, a longtime University of Chicago free-market economist and an early Bork mentor. "He's always believed in advancing ideas forcefully and having them tested and criticized."

Even as a child, Bork delighted in running counter to the grain. He became a popular but bookish teenager who mystified his friends in the solidly Republican town of Ben Avon, a Pittsburgh suburb, by declaring himself a socialist. His father, a purchasing agent for a steel company, and his mother, a teacher, both thought the flirtation with socialism was crazy. "I read *The Coming Struggle for Power*, a Marxist analysis of capitalism by John Strachey," he recalled later. "It was powerful stuff and I thought it was probably true."

Sent to the exclusive Hotchkiss School in Connecticut for his senior year in high school, Bork took to intramural boxing and won the school championship as a 147-pounder. By his picture in the yearbook is a fitting quote for a pugilist: "Do you want a contentious scab, maybe?"

When Bork graduated in 1944, his parents refused him permission to enlist in the Marines. Bork re-

taliated by promising to volunteer as a paratrooper if he had to await the Army draft. His parents relented, but the war ended before he got out of Marine training camp.

On the advice of a high school teacher, Bork headed for the University of Chicago, which was bubbling with intellectual creativity under its young president, Robert Hutchins. The university encouraged independent thinking, and Bork flourished there. A Phi Beta Kappa, he was a poll watcher for a Chicago professor running for Vice President on the Socialist ticket.

Bork's ambition was to follow Ernest

Hemingway into newspaper reporting and book writing. But because Chicago had granted Bork a B.A. in less than two years, Columbia University refused to send him a journalism school application. So he turned instead to Chicago's law school. The first classroom professor he encountered there was Edward Levi, an antitrust scholar who later became Attorney General and Bork's boss under Gerald Ford. "He was the most fantastic teacher I ever knew," Bork says. "He took the big ideas in the law and played with them, always by indirection." Levi's technique was to prove abrasively why more obvious explanations were wrong, an approach Bork adopted.

After two years, as other successful classmates were preparing to look for lucrative law-firm jobs, Bork unexpectedly went in the opposite direction. He re-enlisted in the Marines, this time as an officer, and trained as a tank commander. "I liked the discipline of the Marines, and though it may sound corny, I thought you should serve." He returned for his final year of law school in 1952. By that point he had made the first significant change in his political outlook: he considered himself no longer a socialist but a New Deal liberal. He distributed leaflets for Democrat Adlai Stevenson that year.

His next move to the right was far more dramatic. When he signed up for Levi's antitrust course, he found it was being co-taught by the Polish-born economist Aaron Director, a fervent opponent of Government interference in the marketplace. Director became the catalyst for what Bork has called a "religious conversion" to free-market, libertarian principles. For four days each week, Levi would explain the legal rationale for various antitrust decisions; then, on Fridays, Director would explain "that everything Levi had told us was nonsense," recalls UCLA Professor Wesley Liebeler, who also took the course. By using economic analysis, Director argued that the Government's antitrust policies did the exact opposite of their goal: they made markets less efficient and harmed consumers.

Bork became a self-proclaimed "janissary" to Director, a loyal soldier who became a fellow in Chicago's "law and economics" program, a bastion of probusiness



As a boy in Pennsylvania, 1940: holding a captured snake

*His intellectual odyssey "departs from the conventional."*

research. With Director's coaching, Bork produced a scholarly paper debunking the supposed dangers of "vertical integration," in which companies buy up suppliers elsewhere in the production chain. "We determined that the practice wasn't monopolistic, as popularly believed then," Director recalls, "but merely more efficient." The article won Bork widespread notice, and later gained acceptance by conservative antitrust scholars and judges.

While a law student, Bork, a Protestant, met and courted a Chicago undergraduate named Claire Davidson, daughter of a New York Jewish family. Their subsequent marriage produced three children and a partnership of uncommon unity. Friends recall Claire as her husband's alter ego, his sounding board on virtually every matter, intellectual and practical. They once stayed up all night talking about antitrust theory. They spent many late nights discussing his desire to explore his libertarian ideas further, to test free-market theory against social issues far removed from the economy. It was with Claire's backing that Bork finally packed the Chevrolet to take an untenured position teaching antitrust law at Yale.

In New Haven, Bork struck up an odd-couple friendship with Alexander Bickel, perhaps the country's foremost constitutional scholar. Casting about for a second course to teach, Bork acted on Claire's advice and picked the "most exciting, dynamic and intellectual field," constitutional law. Bickel dropped in on Bork one day, and the two held an impromptu debate in front of a vastly amused class. That led to perhaps the most popular offering at Yale Law in the 1960s, a constitutional-theory seminar that the two men jointly taught in good-natured combative fashion.

Bork's publication of his theories sowed the first seeds of his current trouble. Writing in popular journals, starting with the *New Republic* in 1963, Bork attacked the proposed Public Accommodations Act, a civil rights measure, as an unconstitutional infringement of the right to free association. In 1968, at the culmination of his libertarian phase, he wrote a *FORTUNE* article advocating judicial protection for a variety of liberties, including privacy, not specifically mentioned in the Constitution.

His views on privacy and other libertarian ideals soon changed radically, when Bork realized that his ideological outlook had taken another turn. After a year's sabbatical in England with his family, he returned to Yale in 1969 to find that his once lively seminar with Bickel had "gone flat." Recalls Bork: "When I asked him why, Bickel explained, 'It's because you're not saying those crazy things anymore.' I suddenly realized I'd basically adopted his position." He abandoned his belief that constitutional law could be made to conform to rigid ideological or



At the front gate of his Washington home

economic principles. "I gave up trying to find bright lines. They're just not available."

The revelation eventually resulted in Bork's famous 1971 *Indiana Law Journal* article repudiating his prior attempts to find unwritten protections in the Constitution. In its place was Bork's version of what academics call interpretivism, or intentionalism. Unless the Constitution clearly specifies the protection of a core value, Bork wrote, "there is no principled way to prefer any claimed human value to any other." Only the "original intent" of the Constitution's framers should be used by judges in finding constitutionally protected values, he declared.

With typically provocative rhetoric, Bork used the article to single out a number of decisions as "unprincipled." Among them: the 1965 Supreme Court ruling that enunciated the right to privacy in overturning a Connecticut ban on contraceptives, and the Warren Court's series of one-man, one-vote pronouncements. Bork has never backed down from criticizing the privacy decision, a forerunner of the 1973 *Roe v. Wade* abortion ruling. But he found it necessary, under heavy

scholarly criticism, to back away from another assertion in the 1971 article, that only "political speech" is protected under the First Amendment.

**W**hen Bork was appointed by Richard Nixon as Solicitor General in 1973, the *Indiana Law Review* article prompted widespread fears that the office was about to be hopelessly politicized. After only five weeks on the job, he was called to the White House by Nixon Aide Alexander Haig and asked to run the President's Watergate defense. After some indecision, Bork ultimately maneuvered his way out, in part because Nixon refused to let him listen to the White House tapes. Three months later came the Saturday Night Massacre. Bork's name became a household word overnight when, as acting Attorney General, he fired Watergate Prosecutor Archibald Cox after Attorney General Elliot Richardson and his deputy, William French Smith, refused to do so. At his judicial confirmation hearings nine years later, Bork said he acted to prevent chaos at the Justice Department and moved quickly to assure continuation of the independent

probe. That seemed to settle the matter. But in recent weeks, some Massacre witnesses have quarreled with portions of his sworn story and suggested Bork was in fact acting to help Nixon defy a lawful court order for his tapes.

Ironically, the remainder of Bork's four-year tenure at Justice could prove his biggest asset. Career and political appointees alike credit Bork with helping to restore morale at the shaken department. Despite antibusing sentiment in both the Nixon and Ford administrations, for example, Bork pointedly refused to oppose a controversial Boston school-desegregation order. "He was the epitome of an open-minded, principled lawyer," says A. Raymond Randolph, then a Bork aide, "the exact opposite of a rigid ideologue."

When President Ford was defeated, Bork briefly considered a Washington law practice but ultimately decided to return to Yale. The move was a financial success, but unsatisfying nonetheless. He published his book, *The Antitrust Paradox*, ten years in the making, debunking the antitrust notion that bigness was badness in corporate America. Businessmen flocked to his New Haven office, willing

## "Trying Out Ideas"

*In a series of half a dozen conversations with TIME Correspondent David Beekwith over the past ten weeks, Bork has shown unusual candor in discussing his views on the major issues that will be raised at the hearings. Excerpts:*

**On judicial restraint:** People on both sides are painting me as a conservative activist, predicting I'll do revolting or admirable things. It's not true. I simply believe in judicial restraint. An activist is somebody who tries to run his own preferences into the law. I either don't have them, or I keep them out.

**On his changing philosophy:** I've changed my mind in major ways through my life. I don't see anything wrong with it. That's the business I'm in—trying to think things out. Most of the changes had nothing to do with confirmation hearings or anything other than honest intellectual effort. Some people say I'm closed-minded. Others criticize me for changing my mind. I find it all very unfortunate.

**On the role of a judge:** Liberal, moderate, conservative shouldn't apply to judging. The correct philosophy is to judge according to the intent of the legislature or the intent of the Constitution's framers. Judges are overwhelmingly from a very narrow segment of society, and if they begin to read their own ideals into the law, then most of society isn't represented.

**On school prayer:** People have tried to read my mind on this because I've commented on the constitutional conflicts in some religion cases. The truth

is that I don't know what I think about school prayer, because I've never stopped and thought the subject through.

**On civil rights:** I've always been against laws that discriminate. In the '60s, in my libertarian phase, I opposed what I considered government interference with individual liberty. I changed my mind on that and said so publicly in 1971. My thinking as a voter ever since is, Does the law do more good than harm? Civil rights laws meet that test.

**On the 1973 abortion decision:** I said before becoming a judge that I didn't think the case was decided on sound constitutional reasonings. There may be other grounds to justify the result. I'd be willing to listen for them, but I don't know what they are.

**On his provocative writings:** That's what academic writing is supposed to be all about—daring and speculative and provocative, trying out ideas. You don't see that kind of writing in my professional work. In academic life, not much is at stake except whether your brain is working that day. But as a judge, you can't run counter to the conventional wisdom unless you're absolutely sure you're correct.

**On White House advice in his confirmation battle:** They told me to avoid interviews, but I've always talked to the press. I think it's important that debates about the law be understood by the public. In these things, I think you're better off being yourself.

**On his political outlook:** I don't think my present politics are important to anybody. I really don't have overwhelmingly strong views about most of these things we've talked about.



The judge in his study at home

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## UNITED STATES CONSTITUTION COINS



to pay \$250 an hour for his counsel on antitrust and Justice Department matters. His income soared into six figures, and he quickly paid off a small debt left over from his children's schooling and began to build his net worth.

But his law school relationships had soured. Bickel had died while Bork was in Washington. Professors muttered that Bork's onetime freeheeling search for intellectual theories had been replaced by commercial pursuits. Bork, who usually stayed above academic politics, became involved in a losing 1978 campaign against a proposal to forbid law firms that discriminated against homosexuals from recruiting at Yale. "Contrary to assertions made, homosexuality is obviously not an unchangeable condition like race or gender," he wrote.

His outlook was obviously affected by his wife's deteriorating health. In early 1971, surgeons had operated on Claire Bork, then only 41, and pronounced her hopelessly ill with cancer. They told Bork she had only six months to live and urged him to withhold the news from her. Instead, the Borks retained new doctors and Claire began a prolonged campaign to beat the disease through operations and chemotherapy. Though she was in remission for much of a decade, the battle finally ended in 1980 when the cancer reached her lungs. "She was determined to fight it until her children were grown and her job was done," says her eldest son, Robert Jr. Her death devastated Bork. "Their marriage was more than a partnership. She was an integral part of his personality," says the younger Bork. "Without her he was a colder, unhappy person." Alone in his big New Haven house with his memories, Bork decided in 1981 on a major change, a return to Washington and corporate law practice.

Within months after Bork had acquired a \$400,000-a-year partnership with his old Chicago firm and a \$500,000 house, Attorney General William French Smith called offering Bork a spot on the D.C. Court of Appeals. The unspoken understanding was that a good performance would merit Bork top consideration for any Supreme Court vacancy.

As an appeals court judge, Bork got involved in a number of controversies. His disdain for the constitutional right to privacy was clear in a strongly worded Bork opinion ruling against a Navy enlistee discharged for homosexual conduct in the

barracks. Bork was criticized by more liberal colleagues on the court for what they described as his result-oriented tactics. In their view he bent legal principles to achieve the conservative outcome that he reached in almost every case.

For the most part, however, Bork found life on the D.C. Appeals Court, with its heavy diet of technical regulatory issues, unexciting. When his colleague and friend Antonin Scalia was named to fill a 1986 Supreme Court vacancy, Bork was gracious publicly but privately irritated, fearing that Reagan would leave office before another seat opened up. Last spring, shortly before he was nominated to replace Lewis Powell, Bork decided not to hire clerks for the 1988 term, opening

Bork has not been terribly successful at exercising personal discipline in recent years. He regularly smokes two packs of cigarettes a day, despite promises to himself to quit. After breaking his arm in an accident on icy steps outside his home two years ago, he began losing control of his now Falstaffian weight. A series of exercise machines—a rowing machine, cross-country machine, stationary bicycle—sit broken or largely unused in his attic. Bork has taken up poker in a floating game that regularly includes Scalia, Chief Justice William Rehnquist, Education Secretary William Bennett and others. Bork is a popular addition: he is so unknowledgeable about the game that he keeps a list of winning hands beside his chair. "I never played poker before," says he, "and I think I'm paying for it."

A jovial man whose company is enjoyed even by ideological foes, Bork amiably uses smiles and quips to soften his forcefully expressed views. After a Justice Department official commented that a certain decision would be made "over my dead body," Bork noted, "To some of us, that sounded like the scenic route." His disarming humor is likely to help him seem personally sympathetic and even comfortably moderate during the televised hearings. But the prolonged wait has taken its toll, and his irritation with the drum roll of criticism sometimes prompts him to grind his teeth nervously and show flashes of anger.

Bork has shown his independent streak even after his nomination. The afternoon that Reagan offered him the job, Bork was taken aside by William Ball, the White House legislative liaison, and told not to talk to the press. He nodded, but within hours was giving thoughtful interviews about his life and legal beliefs. He also disregarded advice not to talk to Senators

about his legal philosophy. His strategy worked well, both to humanize his image and to explain his complex ideas. Even though he has successfully assured the Senate on two previous occasions that some of his forceful and abrasive writings were merely the deliberately provocative views of an inquiring intellectual, he knows that this time the stakes are higher. In considering whether he should become the nation's 104th Supreme Court Justice—and determine the court's future balance—the Senate should and will intimately review not only his current views but his entire personal odyssey.

—By David Beckwith



Private Bork, 1945; with his mother and first wife at law school graduation, 1953; with Nixon in 1973



the way for his resignation at the end of Reagan's term.

In the meantime, Bork's personal life had brightened. After a period of loneliness in Washington, he met and soon married Mary Ellen Pohl, a former Sacred Heart nun working for a conservative think tank. "He was raised a Protestant, married a Jew and then a Catholic," notes Ward Bowman, a former Yale law professor. "It's pretty hard to say he's bigoted." Not a member of a church, Bork describes himself as a "generic Protestant."

For an advocate of judicial restraint,



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# The Law According to Bork

Where would his strict constructionism lead him—and the court?



As a gift when Robert Bork was named Solicitor General, his Yale law students gave him a construction worker's hard hat with his new title on it. That was in 1973, when a hard hat still symbolized the bareknuckle school of conservatism. Bork's own methods of persuasion are a good deal less belligerent, but the joke was to the point. He had built his reputation as a legal hard-liner, both for his narrow reading of the Constitution and for the conservative results of such analysis. When he moved later into the offices of a federal judge, he brought the hard hat with him.

Now that he has a chance to hang it in the chambers of the Supreme Court, a fight has been raging over just what kind of constitutional construction Bork would practice there. His writings and public statements, plentiful and forcefully expressed, make clear his scorn for many of the court's landmark decisions; they are less clear about which of those he would actually seek to overturn. Despite the instances where Bork has stepped back from earlier positions, and the ambiguity of some of his appeals court rulings, one thing is clear from his 25 years of unflinching and outspoken legal advocacy: he is not the mainstream legal thinker that the White House is now painting him to be.

Bork's special scorn has been reserved for the court's expansions of individual and civil rights in the past four decades. Among the decisions that Bork has blasted as groundless and unconstitutional: a seminal 1948 decision, *Shelley v. Kraemer*, that denied state courts the authority to enforce racially restrictive agreements between sellers and buyers; *Griswold v. Connecticut*, which in 1965 struck down a state law forbidding the use of contraceptives even by married couples; the 1973 *Roe v. Wade* ruling that extended the right of privacy to protect abortion; and the 1978 *Bakke v. University of California* decision that permitted affirmative action, though it disallowed strict racial quotas.

Those rulings have reshaped American life—which is precisely Bork's complaint. He accuses the recent court of liberal "judicial activism," using its power to accomplish social goals that have eluded—or been opposed by—legislatures. His own philosophy, he claims, is based on fealty to "neutral principles," the no-

tion that judges should not formulate their legal principles based on the outcome they will produce in the particular case being heard. And yet, as his opponents point out, Bork's record makes him appear to be result-oriented in his own way: in almost all of the court rulings in which he diverged from his colleagues on the bench, the principles he applied led to a conservative decision.

A related theme is his advocacy of "judicial restraint," the idea that judges should defer to legislative and Executive decisions. Unless a clear constitutional right is violated, he believes, the majority

or "fairness," that the framers did not deposit there. Yet the Founding Fathers foresaw the possibility that the Bill of Rights might leave the impression that citizens possessed only those liberties specifically mentioned there. For that reason they provided a catchall in the Ninth Amendment: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." Neglected for almost two centuries, that language was seized by the court in the mid-1960s as one basis for its more expansive readings.

Bork has acknowledged that the precise (and sometimes imprecise) language of the Constitution cannot always be treated as the last word on its meaning. New conditions arise that may require the application of constitutional principles in ways the framers did not foresee. But he insists that the role of judges is to identify the "core values" that are contained in the text and history of specific constitutional provisions, and then to apply these as present-day situations warrant.

That is not very different from the method of more wide-ranging judges and scholars. Where Bork and his critics diverge sharply is on the question of how broadly to define those values and what measures the court may employ to implement them. Bork's views on some major questions of constitutional interpretation:

**Equal protection.** A central instrument of court power has been the 14th Amendment. Though drafted in the post-Civil War era chiefly to ensure just treatment for blacks, it extends its guarantees of

due process and equal protection under the law to "any person," allowing the court to invoke it to cover women, aliens, illegitimate children and sometimes the poor. Bork defends the landmark *Brown v. Board of Education* school desegregation case on the ground that the intent of the 14th Amendment contains the "core" idea of protecting blacks from government discrimination. But he finds no similar intent to protect women. That could exclude them, for example, from affirmative action programs.

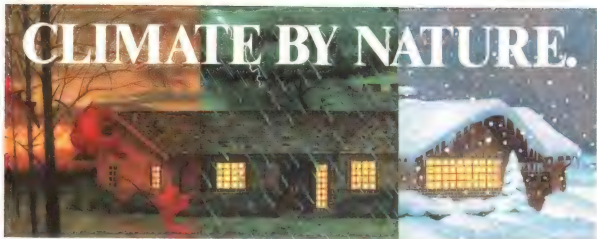
Even in clear-cut racial cases, Bork hesitates to wield the equal protection clause when it conflicts with majority wishes. He has criticized the court for striking down a provision added by referendum to the California state constitution



through its elected officials may impose its will on the minority, even if judges consider the resulting laws to be insidious or unwise. For example, though Bork has argued that the court did not have the constitutional justification to strike down the anticontraceptive law in the *Griswold* case, he has spoken disparagingly of the statute itself. "Even if we assume that courts have superior capacities for dealing with matters of principle," he writes, "it does not follow that courts have the right to impose more principle upon us than our elected representatives give us."

From that premise flows Bork's belief that constitutional questions should be decided on the basis of the "original intent" of the framers. Judges should avoid creating new rights or notions, like "privacy"

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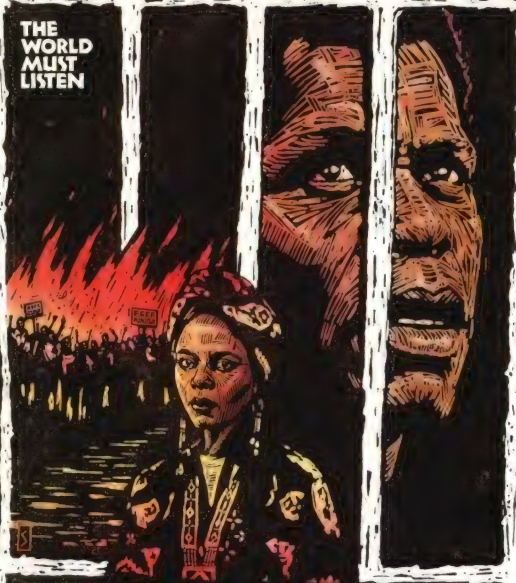
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that would have allowed discrimination in the sale or leasing of property.

**Freedom of speech and the press.** Some of Bork's most radical rethinking has concerned the First Amendment guarantees of free speech. In his famous 1971 law review article, he argued that the Constitution protected only "political" speech, thereby shutting out "any other form of expression, be it scientific, literary or that variety of expression we call obscene or pornographic." More recently Bork has recanted some of that position, concluding that "many other forms of discourse, such as moral and scientific debate, are central to democratic government and deserve protection." But in a conversation with Journalist Bill Moyers televised earlier this year, Bork still hesitated to put art firmly beneath the constitutional umbrella. "I think you're getting toward the outer edge there," he told Moyers.

Bork has also said the First Amendment extends no protection to "speech that advocates... the violation of any law," a position at odds with the oft-invoked standard of Oliver Wendell Holmes that only speech posing a "clear and present danger" may be suppressed. Had Bork's view been accepted in the early days of the civil rights movement, it could have been used to prohibit many calls for peaceful civil disobedience.

Bork's major statement in the free press area came in a 1984 ruling in which he concurred in the dismissal of a libel suit brought by Bertell Ollman, a Marxist college professor, against the conservative columnists Evans and Novak. In language that went beyond Supreme Court decisions on the matter (and which provoked a sharp rebuttal joined by his then colleague Antonin Scalia), Bork wrote that a "remarkable upsurge" in libel suits and damage awards "has threatened to impose a self-censorship on the press" as effective as government censorship. Because the core value of a free press is clearly part of the original intent of the First Amendment, he argues, judges in this instance can play an activist role—though he rarely advocates that role in most matters pertaining to the core value of racial equality.

**Privacy.** The "right of privacy" that the court enunciated in the *Griswold* contraception ruling, and that Bork has frequently disparaged, restrains government intrusion in matters bearing upon marriage, sexual activity and family life. In addition to providing a rationale for the court's pro-abortion decision, privacy has been invoked in arguments favoring gay rights. In a 1984 ruling that upheld the Navy's discharge of a petty officer for homosexual conduct, Bork aired the view that whatever the Supreme Court may have meant by privacy, it did not cover

homosexual relations. Last year, a 5-to-4 court majority joined by Justice Powell also rejected the idea of a constitutional right to homosexual conduct.

**Access to the courts.** As an appeals judge, Bork also took a narrow view of the right of plaintiffs to bring their cases before the court. Accordingly, he voted to dismiss suits brought by veterans, the homeless, the handicapped and consumer groups. Opponents point out that he has rarely ruled this way against business plaintiffs. In one widely noted case, he also dissented when his colleagues upheld the right of a bipartisan group of Senators and Representatives to bring suit in opposition to President Reagan's use of a pocket veto. Bork went so far there as to assert that courts should "renounce outright the whole notion of congressional standing."

**Antitrust.** Bork has had formidable influence in the field of antitrust, his legal specialty. His view that Congress, which en-

Bork favored businesses when they brought suit against the government but favored government when the plaintiff was an individual or public interest group. That raises the question of whether the principles he invokes are always "neutral." It takes a strong man never to put his intellect at the disposal of his convictions.

Certainly not all of Bork's rulings come out conservative. He authored an opinion for a three-member panel that ordered the Washington, D.C., transit authority to allow an artist to rent display space in subway stations for a poster critical of Reagan. But have his principles sometimes shifted to serve his ideological preferences? In attacking a proposed civil rights law in 1963, he wrote that it would be regrettable if "justifiable abhorrence of racial discrimination [should] result in legislation by which the morals of the majority are self-righteously imposed upon a minority."

He later retracted his criticisms of the civil rights law. By 1984, however, he had gone on to embrace the opposite position concerning the broader question of public morality. In a speech before the conservative American Enterprise Institute that touched upon public obscenity, he declared, "One of the freedoms, the major freedom, of our kind of society is the freedom to choose to have a public morality." Bork's supporters say that turnaround shows his willingness to evolve philosophically. Opponents say it is the intellectual expediency of a man more provoked by the sight of obscene words than by signs reading WHITES ONLY.

If he joins the high court, the sharp-edged axioms of Bork the scholar might be tempered by the tradition of *stare decisis* (standing by what has been decided), the judicial practice of reaching decisions that accord with earlier rulings. He disagrees, for instance, with the "commerce clause" decisions of the New Deal court—a series of rulings that upheld the power of the Federal Government to regulate business in many fields. But he maintains that he would not seek to overturn them because they form the basis for many subsequent court decisions and administrative practices. Would he likewise defer to other past rulings, notably the abortion decision? Bork declines to say.

So the Senate will have to judge him on the basis of his record and writings, assuming that if he acts on his beliefs, in many decades he will vote to radically reverse decades of judicial activism in expanding the concepts of constitutional rights. One irony is that he faces strong opposition from legislators who are disturbed by the prospect that the high court might show more deference to legislatures on political decisions. Another is that his own fate now depends on one of those decisions.

—By Richard Lacayo



tered the fray with the 1890 Sherman Act, intended to prohibit only those mergers that discourage "economic efficiency" has many followers in the antitrust division of the Reagan Justice Department. Bork finds fault with most of the subsequent attempts by Congress to define anticompetitive practices and to interfere with vertical mergers. Deferential to legislatures in most constitutional disputes, Bork becomes positively Swiftian in his gloom about their capabilities in the economic field: "Congress as a whole is institutionally incapable of the sustained, rigorous and consistent thought that the fashioning of a rational antitrust policy requires."

A recent study by Ralph Nader's Public Citizen Litigation Group claims that in most split decisions on the appeals bench,

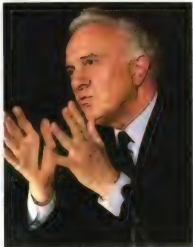
## Nation

### Heading Toward A 4% Solution

*Big missiles: a bigger problem*

When Secretary of State George Shultz and Soviet Foreign Minister Eduard Shevardnadze meet in Washington this week, their main objective will be to clear the way for a get-together later this year between their bosses, Ronald Reagan and Mikhail Gorbachev. The principal task for Sherpas and summiters alike is to end an eight-year deadlock on arms control by concluding a treaty on intermediate-range nuclear forces. Under the so-called global zero option, the Soviets would have to do away with an entire class of modern, mobile multiple-warhead missiles, the SS-20s, which have threatened America's Asian and European allies for nearly a decade.

The overall effect on the balance of terror, however, would still be modest, making it little more than a first step toward more important goals that lie ahead. An INF agreement would take out of service less than 4% of the warheads the two sides have arrayed against each other. It would not apply to any of the 11,000 Sovi-



Shultz's visitor Eduard Shevardnadze Seeking an "insurance policy."

et long-range warheads targeted against the continental U.S. Nor is there anything in the fine print of the prospective deal that would prevent the Soviets from replacing every two-stage intermediate-range SS-20 they dismantle with a three-stage intercontinental ballistic missile

called the SS-25. That rocket is fired from a similar launcher and can hit not only Bonn and Paris but also Boston and Peoria. Substituting SS-25s for SS-20s would violate the 1979 SALT II treaty. But last year the Reagan Administration renounced SALT II and exceeded its limits. The Soviets are free to do the same whenever they choose. Says Spurgeon Keeny, president of the Washington-based Arms Control Association: "Given the U.S. repudiation of SALT II, strategic forces can grow without constraint, and they will soon negate any reductions achieved at the INF negotiations unless a new agreement is reached."

The Reagan Administration has been trying to reach such an agreement for five years in the Strategic Arms Reduction Talks (START) in Geneva. The Soviets have agreed to significant reductions in their ICBMs—but only on condition that the U.S. accept restrictions on the development and testing of the Strategic Defense Initiative, or Star Wars. The Administration is willing to discuss a moratorium on deployment of SDI, but not constraints on testing. The President has said he is worried that the Soviets are out to "kill" the program with restrictions on research and development.

The Kremlin harbors the opposite

### ... And I'll Show You Mine

"It's unbelievable," declared a Pentagon official. "We'd never allow something like that to happen here." He referred to the astonishing Soviet decision to let three Democratic Congressmen prowling for four hours through the secret radar facility near Krasnoyarsk in Siberia. The Kremlin permitted the lawmakers and a few aides to snap 1,000 photographs inside the facility, which has been the focus of U.S. charges that the Soviets are violating the 1972 treaty limiting antiballistic missile systems. Predictably, the visit served to intensify debate in Washington about Soviet intentions.

The Reagan Administration contends the station is meant to close a gap in the Soviets' early-warning radar network. To prevent longer-range tracking of missiles, the ABM treaty requires that such stations be on the perimeter of the U.S.S.R. Krasnoyarsk is 480 miles inland. This location and the type of radar under construction, says the Pentagon, would be suitable for a Soviet Star Wars system in which the station could direct interception of incoming missiles. The Soviets have claimed the radar would be used only to track satellites in deep space, which would not violate any treaties.

The Congressmen (New York's Thomas Downey, Wisconsin's Jim Moody and Michigan's Bob Carr) were accompanied by Anthony Battista, a House Armed Services Commit-

tee technical expert. He concluded that the facility is not designed to use the frequencies most effective for space tracking—a point that Soviet technicians conceded. The radar is also pointed toward the northeast, where the Soviet radar gap exists, rather than the south, where much more space activity could be followed.

Battista also found Krasnoyarsk ineffective as an ABM site: it is poorly constructed and not hardened against shock waves or electromagnetic pulse effects.

"If this radar were turned on today," he said, "it would be an early-warning radar—not a very good one." Yet it cannot be switched on soon, the U.S. visitors concluded, because the facility lacks essential electronic equipment. They predicted it will take two years to complete.

The Administration rejected the legislators' contention that the station violates only the "letter of the treaty—not its purpose." Frank Gaffney, acting Assistant Secretary of Defense, insisted that the radar is a "significant military project which fundamentally

undercuts the ABM treaty." If the Soviets want to convey a new openness on verification, said Gaffney, the proper signal would be the "total dismantling of the illegal installation."

Although U.S. officials could only speculate on why the Soviets put Krasnoyarsk on display, Downey noted that a "precedent has now been set about verification that cannot be undone." Still, the field trip did not answer the real question posed by the radar: Do the Soviets intend to abide by arms-control treaties?



"An early-warning radar—not a very good one"

suspicion: that R. and D. will turn out to be a smoke screen for an all-out program to deploy SDI. As Roald Sagdeev, director of Moscow's Space Research Institute, told TIME: "We need some kind of insurance policy on SDI; otherwise, what is advertised innocently as a testing program could lead to rapid deployment of a full-scale system. Unrestrained SDI testing would confront our military planners with the requirement of more offensive systems, not less. It's that simple."

And that complicated. Even as the superpowers are moving toward unprecedented disarmament in the category of intermediate-range missiles, the Soviets are warning of a new round of the arms race in the more important arena of strategic weaponry. With that stick—and with the carrot of the deep cuts they have conditionally agreed to in START—the Kremlin is hoping to induce the Administration to rein in SDI.

Sometimes the Soviets have insisted on linking the various negotiations: no INF deal without a strategic offense-defense trade-off. At other times they have appeared willing not to link the issues, letting Reagan have an agreement and a summit without his having to make any concessions on SDI. Their current position is ambiguous—and therefore flexible. Currently they are proposing an "INI-plus" summit. The plus would be a "framework agreement" on START and SDI—not a full treaty, but an outline of its main provisions, notably including testing limits for SDI.

As so often in the past, the Reagan Administration is split between the Pentagon and the State Department. Secretary of Defense Caspar Weinberger opposes any significant compromise on any aspect of SDI, including deployment. Colleagues say he favors an INF-only deal as a "firebreak" that will satisfy congressional yearning for arms control while leaving SDI intact. Paul Nitze, special adviser to Shultz and Reagan on arms control, is concerned that an INF-only deal could lead to a Soviet strategic buildup if there is no progress in START. The only way to break the deadlock in START, he feels, is an agreement spelling out which SDI experiments would be allowed under the Antiballistic Missile Treaty of 1972.

National Security Adviser Frank Carlucci also wants a breakthrough in START, but he is looking for a formula that will make SDI part of a bargain without impinging on R. and D. "Asking this President to accept limits on testing," Carlucci says, "is like asking him to raise taxes tomorrow; he just won't do it."

The trick is to find some way of simultaneously allaying the fear in the Kremlin that SDI will move too quickly and the fear in the Oval Office that the program will be brought to a standstill. That could be too big a dilemma for a divided Administration, as the Soviets seem to recognize. It may be why they have left themselves the option of wrapping up INF with Reagan and waiting to do a deal on strategic arms control with his successor.

—By Strobe Talbot

## Just What Is He Up To?

Gary Hart sets out on the road to rehabilitation

Where once penitents donned hair shirts, now they appear with their hands clenched, facing Ted Koppel on ABC's *Nightline*. So it was last week with Gary Hart, as the defrocked candidate tried out his first tentative TV steps on the road to rehabilitation. That such a cathartic spectacle was inevitable did not make the show pleasant to watch. Doggedly Hart went through the rituals of redemption: he used the phrase "serious mistake" four times, "bad judgment" three times, and twice confessed his "sins." He even acknowledged, months after it ceased to have any conceivable relevance to the public debate, that he had not always been "absolutely and totally faithful" to his wife Lee.

never addressed is the enigma that always surrounded his presidential ambitions: his stubborn refusal to understand that in a nuclear age voters are entitled to glimpse what lies within the psyche of a man who aspires to the White House.

As if *Nightline* were not enough of a reminder of the tawdry side of political celebrity, Donna Rice chose the day after the broadcast to unveil her ad campaign for No Excuses jeans. At almost the precise moment Hart was lunching with New York Governor Mario Cuomo, Rice was just a few miles away giggling through a brief press availability. It was a tableau beyond parody. Hart's quest for redemption crosses Rice's pecuniary ambitions. Her only contribution to the polit-



Seeking redemption, Hart stoically endures Koppel's questions on *Nightline*

A cathartic spectacle that was both inevitable and unpleasant to witness.

Koppel, for his part, behaved like a circus ringmaster determined to wring every ounce of ersatz drama out of the confrontation in the lion's cage. He pointedly delayed asking the predictable Donna Rice questions. It was all for naught: the answers were unrevealing. Hart persisted in describing Rice as "this attractive lady whom I had only recently been introduced to."

Hart endured this televised tribunal for one simple reason: he felt he had no choice. True, he denied the rumors that he was contemplating re-entering the presidential fray. But Hart is clearly a man tormented as he thrashes about for a suitable public role. "What I've realized in the last three months," he said, "is that I can't waste [my] talents, and I've got to figure out a way to contribute."

Yet the cause that animated Hart's passions during the *Nightline* broadcast is one he is singularly ill equipped to champion: the right of privacy of public officials. What Hart

ical dialectic was a 15-second commercial in which she boasts, "I have a lot to say. But 15 seconds? Not enough time."

Hart began his rehabilitation road show the next evening in Philadelphia with a densely analytical address on U.S.-Soviet relations. Although the liberal audience was politely receptive, his delivery was flat, and his dovish themes echoed recent Democratic debates.

Still, Hart was undoubtedly heartened as he proved he could attract an audience that does not demand further titillation about his private life. By this weird route,

he may have stumbled onto the campaign he has always dreamed of: a high-minded dialogue with the voters, devoid of ritual handshakes, insincere smiles and middle-some aides. As he moves from disgrace toward dignity, Hart may come to relish the joy of speaking his mind with the perfect freedom of a man who has nothing left to lose.

—By Walter Shapiro



Rice: It all adds up

# Secretary Dole, Meet Mrs. Dole

*Why an embattled Cabinet officer is giving up her job*

Senator Robert Dole was on his trip to Nicaragua, and the Secretary of Transportation had Sunday afternoon to herself. She left their Watergate apartment and drove to the National Cathedral. After pacing the quiet grounds, she headed for the chapel where she and Dole were married 13 years ago. Sitting on an outdoor bench, she reflected on her marriage and her career. "I couldn't help thinking back over the years, and all the experiences and joys," she recalls, a wistful tone creeping into her honeyed Southern accent. "This is a time now when, you know, I have to really come to that..." She trails off for a second, unable to utter the word "decision," then sets a firmer, more businesslike course. "It's a situation where the public responsibility and private obligations are facing me."

For months Elizabeth Hanford Dole has been quietly grappling with her unusual dilemma. As the top-ranking woman in the Reagan Administration, and as a highly visible and very popular official caught in the controversies of a challenging job, Secretary Dole has carved a unique and lofty niche in the Administration and her party. "I love my job," she says. "I really do." But her husband is running for President and needs her at his side. So, with mixed emotions, she has made what she calls "probably the most difficult decision of my life" and concluded that it is time for her to resign.

However familiar such conflicts may seem to millions of working couples, they rarely used to crop up in politics. This year is different. Elizabeth Dole, Hattie Babbitt, Jeanne Simon and Elise du Pont are all lawyers. Jill Biden and Kitty Dukakis both teach. Tipper Gore is a published author. Dole, whom some see as a future presidential contender in her own right, has the most vexing dilemma of all. "I think there is a sense that her choice will send a signal," says Republican Pollster Linda Duvall. "Until now, we've never seen a situation where the wife is just as professionally credible as the husband."

Mrs. Dole's announcement is likely to disappoint career women who view her as a role model, and that bothers her. "It's not that you're giving up what you're doing," she offers. "It's that you're laying down one cause to take up another." For more than a year she had gently

but stubbornly insisted that she could stay in public office and also campaign. When her husband rather tactlessly suggested last January that his wife would have to leave her job eventually, she sharply rebuked him. The Senator, who plans to announce his candidacy formally in the next two months, turned charmingly rueful. They both made a joke of it, but she was genuinely upset. "I've rarely seen her angry," says her former assistant, Mari Maseng, now communications director of the Dole campaign, "but she was annoyed."

Her husband scrupulously refrained

from torturing her with the question: "is there a difference between candidates retaining their jobs in Government and a spouse?" Dole doesn't single out the Vice President by name, nor does she use the harsh-sounding term double standard. But she implies it with a disarming smile.

She is more direct in responding to the growing criticism about air safety and airport delays. "That's just not fair," she protests after calmly reciting a list of recent measures. Always poised, she is at her most confident defending her department's record. The Harvard-trained lawyer methodically prepares her material and is deft at marshaling facts. But she can be wounded by a stray remark. When told that a Democratic political consultant had joked, "At least no one can say she quit while she was ahead," Dole grew silent, wide-eyed and quietly hurt. "She

takes her job very seriously," notes Robert Ellsworth, a longtime friend and her husband's campaign chairman. "It's very important to her."

Dole put her husband's career ahead of her own once before, when she resigned as a member of the Federal Trade Commission to help his ill-fated 1980 presidential campaign. Until then the former Duke University student-council president and campus Queen of the May from Salisbury, N.C., had concentrated single-mindedly on her work. She started in politics as a "greeter" on Lyndon Johnson's 1960 vice-presidential whistle-stop tour, where she became enamored of Washington. She eventually started working there, quickly racking up high-ranking posts in Administrations of both parties. Her soft, unthreatening style as much as her credentials and competence helped her climb the male-dominated echelons of Government. She was 39 when she married Dole, and the attractive, workaholic pair instantly became a "power couple."

For all her years in the cynical corridors of Washington, Dole has never shed her civics-student earnestness. It is ingrained in her speech: her husband's campaign will provide her with an "opportunity"; she looks forward to the "challenge." Deep down, she is still traditional. "When Bob makes his announcement," she says, "instinctively I want to be at his side." Warm, feminine and indefatigably gracious, she embodies what Americans seem to expect of a potential First Lady, but not precisely what they were used to in a powerful and problem-plagued Cabinet Secretary. Combining those two roles, she found, is nearly impossible. At least these days.

—By Alessandra Stanley



The Administration's top-ranking woman in the office she will leave

*She will not speak the words double standard, but...*

from pressuring her. Mrs. Dole says, and his campaign staff members did their best not to sound too insistent. It was only around the time of her solitary walk that she fully realized how little time was left to decide. Once she saw the fall schedule plans and realized how strong a demand there was for her, especially in her native South, the answer became painfully clear.

The reality of politics played its part. The Washington Post tallied the number of days in August that she combined Transportation Department travel with campaign stops in key primary states. (The Government and the campaign split the costs of the trips.) She disputes the figures: it was 18 days, not 21, and only 11 were weekdays. "I wonder too," she re-



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# BUICK



# Testing Ideas on Education

*The debate turns to the classroom*



The declining quality of schooling that children receive, says Education Secretary William Bennett, "is arguably the No. 1 domestic concern of the American people." Presidential candidates have taken note. Last Friday, a few days after school bells called students to class around the country, a roster of White House hopefuls gathered at the University of North Carolina at Chapel Hill for earnest seminars on the subject. In separate forums, all seven active Democratic campaigners and Republicans Jack Kemp and Pete du Pont debated the single topic of how to boost the failing grades being given to American education.

The discussions highlighted a basic philosophical difference between the two parties. Democrats put much of their faith in increasing federal aid to education, which currently runs around \$20 billion a year. The extra money, and some of the present aid, would be used to prompt changes in the system. Samples: Senator Joseph Biden would lengthen the academic year by 30 days; Congressman Richard Gephardt would reward school districts that show the most improvement; Massachusetts Governor Michael Dukakis would intensify federal efforts to help recruit and train teachers. When Gephardt asserted that educational reform "is going to take money—I think all of us would agree," no Democrat dissented.

Republicans do not deny the need for additional funds: the Reagan Administration, which has reduced the Federal Government's share of all educational outlays, is getting set to propose an increase. But the G.O.P. adds a qualification stressed early by Vice President George Bush: more dollars do not necessarily mean better schools. Indeed, Bennett insists that one source of popular dismay is precisely the belief that the public is not getting its money's worth out of the cash already being showered on schools—a record \$308 billion this year in federal, state, local and private spending. To improve teaching, G.O.P. candidates favor a free-market approach: tuition tax credits and/or education vouchers for parents to send children to public or even private schools of their choice. The theory is that in a buyers' market, schools would be forced to improve to compete for pupils. At present, says former Delaware Governor du Pont, public schools are monopolies and "monopolies are notoriously inefficient. They become complacent and satisfied."

All these plans face a fundamental obstacle: state and local governments, not Washington, control what is taught in schools and how well. A President can exhort, encourage, prod and de-

plore, and to some extent use federal aid or its denial to effect changes. But a President Biden could not order school districts to lengthen the class year, nor could a President du Pont force them to adopt his "universal choice" plan.

However limited the leverage of the White House, though, no candidate can get away this year with the empty platitudes of past campaigns. Public discontent with education has reached a kind of critical mass, propelled by an unending barrage of reports criticizing various deficiencies in American schools. Last week a report by the Committee for Economic Development, a business and academic group, stressed improvement in education as a key to restoring U.S. industry's ability to match foreign competition. In the view of Democratic Pollster Stanley Greenberg, many voters consider a candidate's stand on all issues affecting children, prominently including education, to be a symbol of how he will deal with "their concerns about sea changes in the modern family and in the American economy."

Education is a particularly important—and delicate—issue for Democrats. Teachers' unions play a powerful role in the party's nominating process: some 475 of 3,933 voting delegates to the 1984 Democratic Convention were members of the National Education Association or American Federation of Teachers. Both groups have been skeptical of such ideas for improving the quality of education as competency tests and merit pay for teachers unless teachers themselves exercise considerable control over whatever plans are adopted.

Democrats tread cautiously in this area: they cannot afford either to antagonize the unions or to expose themselves to the charges of catering to special interests that were hurled with such devastating effect at Walter Mondale in 1984.

When the Democrats were asked in the North Carolina debate what differences they had with the N.E.A., only Jesse Jackson gave the union a ringing endorsement. Most of the others favored some form of "accountability" for teachers, and some went further, backing the principle of merit pay. Said former Arizona Governor Bruce Babbitt: "We need the guts and creativity to pay the best teachers more." But all seven were vehement in defending the N.E.A. against the harsh attacks of Education Secretary Bennett, who shortly before the forum called the union the "most misnamed organization in America." Senator Albert

Gore promised that if he won the presidency he would call Bennett on election night and "tell him to clean out his desk." At the Republican forum in the afternoon, Congressman Kemp charged, "This morning it was pretty clear the Democrats were speaking for a special interest."

Some of the ideas that the candidates have proposed are open to serious objection. Gephardt's plan to retarget federal aid toward the fastest-improving schools risks helping good districts to become better while leaving the poor ones to deteriorate even further. Du Pont's "universal choice" goes too far even for some Republicans who accept the principle of inducing competition among schools. Kemp charged that du Pont's plan might cost the Federal Government as much as \$25 billion; he promotes choice among public schools only within a given district. But whatever the merits or demerits of the specific proposals, this campaign may demonstrate what the schools need to learn: how to stimulate fresh thinking and serious debate.

—By George J. Church.

Reported by Laurence I. Barrett/Washington



## American Notes



Gossip: Braden refused to kiss and tell



Fund raising: Falwell takes a corpselike plunge, then rises sputtering from the pool

### FUND RAISING

## Falwell Hits The Skids

Preacher Jerry Falwell made a big splash last March when he wrested the PTL television ministry from Jim Bakker. Last week the minister made another big splash. Wearing a natty blue suit, Falwell, 54, plunged down the "Killer Typhoon" water slide at PTL's Heritage USA amusement park.

The televangelist was fulfilling a promise he had made during a fund-raising drive that netted \$20 million for the debt-ridden PTL. Looking a little pale at the top of the 163-ft.-long water slide, Falwell recited the Lord's Prayer before his hellish four-second descent into the pool below, where he landed shoes up. Nearby, a group of PTL partners brandished a sign that read FALWELL, DON'T BACKSLIDE.

### GOSSIP

## Joan Braden's Cold Feet

The project began as a book about working wives, evolved into a steamy kiss-and-tell memoir, had its best parts lifted by the *Washington Post*, then was withdrawn from circulation—all without ever being published. Such was the fate of the 80-page book pro-

posals by Washington Hostess Joan Braden, wife of Syndicated Columnist Tom Braden, frequent companion of former Defense Secretary Robert McNamara and mother of the brood on which the TV sitcom *Eight Is Enough* was based.

The proposal, ghostwritten by Novelist Les Whitten, portrayed the plucky heroine rebuffing Nelson Rockefeller when he surprised her in the shower "wearing nothing more than a puckish smile" and backing out of a bedroom encounter with Robert Kennedy. When the predictable furor erupted, Braden claimed she was an author wronged: her literary agent submitted the proposal without her final approval. "Of course, Joan approved it," says Braden's agent. "She's just getting cold feet." Braden does not deny the incidents in the manuscript. But they may be blue-penciled from a presumably tamer version she is planning with her husband as collaborator.

### KANSAS CITY

## Parlez-Vous Français?

Under the pressure of a federal court desegregation order, the Kansas City school district this month opened six foreign-language magnet schools. To attract white students into predominantly black areas, the district intended to offer intensive elementary school classes

in French, Spanish and German. But the plan hit a snag when the Immigration and Naturalization Service refused to approve visas for the 14 Belgian instructors hired to teach French.

The INS questions their credentials and the district's need for teachers of "distinguished merit." But administrators could not find Americans capable of teaching elementary school in French. Says Personnel Officer Bonnie Sims: "We searched the entire U.S. for qualified elementary teachers. It was necessary to go outside." Kansas City is appealing the decision.

### CIVIL RIGHTS

## A Verdict On Reagan

Even for a Supreme Court Justice who is known to speak his mind, Thurgood Marshall was surprisingly blunt. The TV cameras were rolling as Washington Columnist Carl Rowan asked Marshall, 79, to assess various Presidents by their contributions to civil rights. "What about Ronald Reagan?" asked Rowan. "The bottom," replied the nation's first black Supreme Court Justice. "I think he's down with [Herbert] Hoover and that group, when we [blacks] really didn't have a chance."

Marshall had done what few members of the high court have dared: openly criticized a

sitting President. His remarks did not sit well with Reagan. "That's not a fair representation of my record," the President reportedly told aides. "How do I tell him that's not right?" Their advice: keep a judicious silence.

### DRUGS

## Capturing a Kingpin

As patriarch of an extended family of 2,000 members in Mexico, Jaime Herrera Narez, 60, was known as the "Drug Lord of Durango." The former policeman directed a heroin-smuggling pipeline into the U.S. Midwest that generated an estimated \$200 million annually. Herrera was so sure he was untouchable that he regularly appeared at weddings and christenings.

But the pressure the U.S. is exerting on Mexico to crack down on drug trafficking may finally be paying off. Last week the U.S. Drug Enforcement Administration and the Mexican Federal Judicial Police confirmed the arrest of the drug lord and his son Jaime Herrera Herrera. After DEA agents helped locate the Hererras last month, *federales* raided their houses in Guadalupe and Torreón. Said Antonio González of the Mexican embassy in Washington: "These arrests show that our effort is going firmly and showing results."

## World

CENTRAL AMERICA

# Apocalypse Soon

*Upstaged by talk of peace, the contras wait anxiously for new U.S. funds*

**S**mart U.S. politicians have long known the value of belonging to the "Three-I League," that elite union of travelers who have pressed the flesh in Ireland, Italy and Israel. Today the shrewd officeholder joins the "Triple-M Society," with its itinerary of foreign policy hot spots: Moscow, Manila and Managua. Lately the congressional congestion in Managua and vicinity has become particularly acute. No sooner

had Robert Dole and four other Republican Senators checked out of the Nicaraguan capital last week, after some verbal sparring with President Daniel Ortega Saavedra, than Democratic Senator Tom Harkin checked in for a high-level chat. Meanwhile, Representative Jack Kemp and a delegation of 65 conservatives were traveling through Honduras, El Salvador and Costa Rica.

The blur of diplomacy left little doubt

that Central America will be a major topic of debate in Congress this fall. Indeed, a struggle is already shaping up in the corridors of Washington over the very survival of the *contras*, the U.S.-supported guerrillas who are fighting the leftist Sandinista regime in Nicaragua. As if to launch the battle, President Reagan last week strongly repeated his support for the foundering *contra* cause, pledging that "we will not abandon our friends in Central

Help from the heavens: as debris flies and doubts grow, a helicopter brings supplies to the rebels in northern Nicaragua

J. B. KETTER



America." Secretary of State George Shultz then went before the Senate Foreign Relations Committee to plead for \$270 million in new *contra* aid. The White House wants the funds to begin flowing shortly after the current aid expires Sept. 30 and to extend for 18 months, beyond the end of Reagan's term. Shultz did not specify how much of the money would be spent for weapons or what conditions might be attached to military funds. "We're doing what everyone says we should," he said. "We're consulting."

The Secretary had barely finished his testimony when the inevitable Democratic fireworks began. House Speaker Jim Wright of Texas, who recently co-sponsored with Reagan a now moribund Central American peace plan, promptly denounced the aid request as "inappropriate." Such aid, he charged, would frustrate the peace agreement signed in Guatemala City last month by five Central American Presidents, including Ortega, that calls for a regionwide cease-fire to take effect on Nov. 7. Any congressional move toward military aid right now, said Wright, "assumes the failure of the peace process, and I don't think it will fail." Wright hinted that he would use his powers as Speaker to keep the Reagan request off the House floor.

Throughout the five years that the Reagan Administration has made common cause with the rebels, the most decisive skirmishes have taken place outside the jungles of Central America. On Capitol Hill a wavering Congress, turning the aid spigot on and off, has sometimes seemed to the *contras* a more troublesome adversary than the 65,000 armed soldiers of the Sandinista People's Army. Now a homegrown peace plan hatched in the capitals of Central America has upstaged the war. Even some *contra* civilian leaders have caught peace fever, declaring their intention to re-enter politics in Nicaragua and leave those in fatigues to fret about the future of the struggle. "This could be it," concedes a senior *contra* official in Tegucigalpa, the Honduran capital. "If we are cut off by Washington now, we may be finished for good."

Both *contra* and U.S. officials say the rebels have sufficient funds and supplies in the pipeline to survive through the end of the year. Moreover, since U.S. aid began to flow again last October, the *contras*, armed with shoulder-fired Redeye missiles, have demonstrated an ability to sustain a war of attrition that could irritate the Sandinistas for years to come. But *contra* officials fear that a total shutdown of aid might propel many guerrillas to give up the fight and either head for the border or return home under a Nicaraguan amnesty program. Some of their leaders may even head the flight. In Washington, Rebel Leader Alfredo Cesar said last week that if U.S. aid dries up, *contra* officials

may call a halt to all military actions, a decision they know would unsettle the Reagan Administration.

To avert a total aid drought, *contra* leaders are trying to keep open the nonmilitary pipeline. "We are prepared to agree to a cease-fire," says a senior *contra* official. "But not to an unconditional cease-fire." The Guatemala peace accord, however, does not compel the Sandinistas to negotiate directly with the rebels. At a meeting last week in Tegucigalpa, the *contras*' six civilian leaders accepted an offer of mediation from Costa Rican President Oscar Arias Sánchez, who pioneered the Guatemala plan. They have asked Arias to persuade the Sandinistas to accept a cease-fire that would enable the rebels to retain their arms and continue receiving food and medical supplies.

The *contras* have not specified how long the cease-fire would have to hold before they would be willing to give up the fight. But much like the Reagan-Wright peace plan, their proposal seems designed to force a refusal from the Sandinistas.

"The big attraction of the Guatemala plan for the Sandinistas was that it left the *contras* high and dry," says a Western diplomat in Honduras. The *contras* hope that a Nicaraguan refusal will persuade the Honduran government to take a tougher stand on the accord.

Of the five signatories to the Guatemala accord, Honduras is rapidly emerging as the least enthusiastic. Last week Honduran President José Azcona Hoyo told visiting Congressman Kemp that he thought the peace accord did not preclude continued U.S. aid to the *contras*. "Hondurans would really like a regional peace agreement, but they also want to maintain good relations with the U.S., and right now the two seem mutually exclusive," says a Western diplomat in Tegucigalpa. "So they are hanging on to the U.S. trap, too frightened to let go and try to catch the Central American trapeze."

That ambivalence owes much to Honduran jitters that an end to hostilities in Nicaragua might send a tidal wave of *contra* refugees crashing across the border. Costa Rican officials believe that in the event of peace, the peasant soldiers in their country would return to Nicaragua, with only the former National Guardsmen of Dictator Anastasio Somoza Debayle and upper-class Nicaraguans choosing to remain abroad. Honduran officials are less sanguine. As it is, they must cope with some 150,000 Nicaraguan refugees. They fear that most of the roughly 12,000 *contras* would want to set up shop in Honduras, perhaps even refusing to be disarmed by the 20,000-man Honduran army.

Hondurans contend that the *contras* are made in the U.S.A., so they are a *Yanqui* problem. "They were armed, trained and encouraged by the U.S.," says Gilberto Goldstein, an opposition assemblyman. "If the U.S. has no further use for them, it should at least take care of them. The problem shouldn't be dumped on us." Officially, Washington has no plans to deal with the *contras* if funding is irrevocably halted. But a U.S. official in the region says, "We have assured the Hondurans that we will take care of the problem when and if it arises."

U.S. assurances, however, seem to be counting for less and less these days. The signing of the Guatemala accord came about largely because of confused signals transmitted from Washington. Now most Central Americans feel that, one way or another, they must keep the peace momentum going. The increasing determination of U.S. allies to pursue their own interests without reference to Washington suggests that Reagan's friends have begun to see him as a lame duck. That perception comes on top of long-standing nervousness about the U.S. com-

After a parachute drop, guerrillas load the bundles onto a mule



Peering through the range finder of a Redeye missile launcher





mitment to its allies, a fear fueled by the American example set in recent decades in Cuba, Viet Nam and Lebanon. "The U.S. has no long-term policies anywhere," says a *contra* official. "If the problem can't be solved quickly and easily, Americans lose interest and move on to something else."

By contrast, the Sandinistas, who waged an 18-year guerrilla war before marching triumphantly into Managua in 1979, are masters of tenacity. Seeing Reagan on the ropes, they have mounted a public relations campaign designed to convey goodwill. To demonstrate their commitment to the "democratization process" called for by the peace accord, Sandinista leaders have eased censorship rules and hinted that the leading opposition newspaper, *La Prensa*, may re-open before the Nov. 7 cease-fire. When Senator Dole passed through Managua two weeks ago, Ortega hotly debated with him in public for an hour. Moreover, a letter that Dole had written demanding the release of two jailed opposition leaders was published

in the Sandinista press. Last week the two activists were turned over to Senator Harkin, a Democratic foe of *contra* aid, one week before their month-long jail terms were to expire.

**T**he Sandinistas may yet make a mess of things, a talent for which they have demonstrated a remarkable flair. Just four days after a 1985 congressional vote against aid to the *contras*, for example, Ortega visited Moscow. His trip was deftly exploited by aid proponents two months later to obtain \$27 million in humanitarian funds. Ortega seemed poised on the verge of self-destruction again last week as he coolly announced that on Nov. 7, the day the cease-fire is scheduled to begin, he will be in Moscow celebrating the 70th anniversary of the Russian Revolution.

Surprisingly, the announcement stirred little notice in Washington. A Western diplomat in Nicaragua speculated that the Soviets had insisted on high-

level representation at the anniversary festivities. "It wasn't an invitation, it was a summons," he said. Envoys elsewhere in the region observed that Ortega's announcement followed a Soviet decision to supply Nicaragua with an additional 100,000 tons of badly needed oil this year, and questioned whether recent strains between Moscow and Managua had been anything more than a propaganda ploy.

The Sandinistas and the *contras* are not the only ones who can derail the peace process. This week in El Salvador, President José Napoleón Duarte is scheduled to begin peace negotiations with the country's leftist guerrillas. But a dispute over whether the rebels must first put down their arms threatens to abort the talks. Arias, who has agreed to mediate, will undoubtedly struggle valiantly to pull the talks back on track. But if the plan stalls in El Salvador, it may be the beginning of the end for the Guatemala peace accord.

—By Jill Smolowe

Reported by John Borrelli/Tegucigalpa, with other bureaus

#### DISPUTES

## Raiders of the Armed Toyotas

*Libya loses face, a base and a bomber in its war with Chad*

**W**rapped in desert scarves against the blowing sand, some 2,000 Chadian troops raced into southern Libya aboard four-wheel-drive Toyota pickups mounted with machine guns. The raiders overran the Maaten es Sarra military base 60 miles inside Libya and demolished all the arms and aircraft they could find. Then, traveling without lights beneath the moon and stars, the troops sped home. It was the first time Chad had invaded Libya since their border conflict began 14 years ago. Officials in N'Djamena, Chad's capital, claimed that the attack killed 1,713 Libyans and destroyed 26 planes and at least 70 tanks. Libya disputed the figures, but the casualties appeared to be the heaviest of the war. The raid, declared Chad, "must be written in gold letters in the great book of victories."

Only a week earlier the Libyans had managed to reverse a string of Chadian victories by retaking a key oasis town near the border. Angered by the setback at Maaten es Sarra, Libyan Leader Muammar Gaddafi last week ordered a retaliatory air strike on N'Djamena. But as two Soviet-built Tupolev-22 bombers approached the capital, French troops fired a U.S.-made Hawk antiaircraft missile. One of the jets exploded in a green phosphorescent fireball, and the other fled toward Libya. Two other Tupolevs later struck the town of Abéché, some 400 miles to the east, killing two civilians but missing their target, an airstrip.

The downing over N'Djamena provoked a shrill outcry in Tripoli. The Libyan news agency JANA called the raid a "combined Franco-American military action" and charged that Washington and Paris were "behind the aggression against



Chadian troops with an abandoned enemy tank  
*The heaviest casualties of the war.*

Libya." In Paris, Libyan diplomats accused France of bearing "direct responsibility" for the escalation of the war. Libyan Ambassador Hamed el Houderi warned that "those who put oil on the fire risked getting burned."

The failed air raid marked a turning point in France's role in the conflict, which has raged over Libyan claims to the reputedly uranium-rich Aouzou Strip in northern Chad. While France maintains a 1,300-troop garrison in Chad and has provided some \$90 million in military aid this year to its former colony, the French have resisted being drawn deeper into the

conflict. Defense Minister André Giraud expressed "deepest regrets" over the stepped-up fighting, though he declared that France will continue to defend the Chadian capital from attack. Premier Jacques Chirac last week repeated calls for a "negotiated solution" to the war. Though France supports Chadian President Hissène Habré's claim to the Aouzou Strip, the Chirac government would prefer to have the issue settled by international arbitration. Chad's African neighbors take similar positions. At week's end Chad and Libya agreed to accept a cease-fire proposed by the Organization of African Unity. Zambian President Kenneth Kaunda said he was seeking to begin peace talks between the two countries.

**T**he U.S. greeted Gaddafi's latest setbacks with unconcealed glee. "We basically jump for joy every time the Chadians deny the Libyans," said a U.S. official. State Department Spokesman Charles Redman asserted that "Libya has illegally occupied Chad for a number of years" and is believed to have up to 5,000 troops in the country, mostly in the Aouzou Strip. The Reagan Administration has provided \$33 million in military aid to Chad over the past ten months and last week was considering a new request for antiaircraft Stinger missiles. The White House hopes that Libya's losses in the war will help lead to a popular uprising against Gaddafi. But though the Libyan leader acknowledged in a speech two weeks ago that defections from his army have become a major problem, he is not about to give up his country's claims on the Aouzou Strip. Indeed, learning from their mistakes, Libyan forces in recent weeks have adopted a weapon more suited than their cumbersome tanks to desert warfare: the machine-gun toting Toyota.

—By John Greenwood

Reported by Larry James/Abidjan and Tala Skari/Paris



## World

THE PHILIPPINES

# The Joker Was Not Laughing

*Bowing to pressure, Aquino reshuffles her Cabinet*

**S**eated in the mahogany-paneled state dining room at Malacañang Palace, members of President Corazon Aquino's Cabinet stared at the blank sheets of paper that had been placed before them. "Of course, you all know what this meeting is about," said the President. Most did not, though they may have had a sense of déjà vu once she began explaining. Aquino reminded them that ten months earlier she had asked the Cabinet to resign in the turmoil following an alleged coup plot. Now, in the wake of the most serious coup attempt yet, it was time for another reshuffle. Complying with her request, each member scribbled. "I hereby tender my resignation," Defense Secretary Rafael Ilto, arriving late for the meeting, was asked by reporters outside if he would quit with the rest of the Cabinet. Said Ilto: "Well, if that's the fad, why not?"

Political turmoil is becoming a regular fact of life for Aquino. In the past six weeks, a Cabinet Secretary was assassinated, a general strike paralyzed major cities, and the bloody military uprising late last month came closer to unseating her than four previous attempts. Since that failed revolt, Aquino's leadership has come under severe question. Some 2,000 rebel soldiers remained at large, and bickering was mounting among her political supporters. Last week's mass resignation may have bought Aquino time to reorganize her government and recapture the sense of high expectation that marked her early months on the job. But allies and opponents alike wondered whether she would move decisively enough to capitalize on the opportunity. Said Blas Ople, a member of the opposition who was a Labor Minister under Ferdinand Marcos: "This is a government that lives hand to mouth, politically and intellectually."

Aquino may reinstate most of her Cabinet ministers, but one case will be a problem: Executive Secretary Joker Arroyo. When she asked the Cabinet to resign last November, the move was designed largely to oust a rival, Juan Ponce Enrile, who was then Defense Minister. This time the likely target is a faithful friend of more than 15 years. Arroyo, 61, whose first name derives from his father's fondness for card playing, is easily the most powerful member of the Cabinet. The former human rights lawyer screens Aquino's official papers and correspondence as well as all requests to meet her.

Critics charge that Arroyo has been too protective of the President, blocking access to her, suppressing documents he does not want her to see, and generally insulating her from political and economic realities. His public criticism of the military has alienated the country's top officers, among them such staunch Aquino

loyalists as Armed Forces Chief Fidel Ramos. Almost every attempted coup in the past 18 months, including the most recent one, has demanded the ouster of Arroyo as well as that of another outspoken Aquino adviser, Speechwriter Teodoro Locsin. Many military men allege that Arroyo is a Communist, a charge he denies but that they feel is supported by his endorsement of amnesty for guerrillas of the Communist-led New People's Army.

sealed his fate, he provided a dramatic encore in private Malacañang sessions. Palace insiders report that the President witnessed a series of intense backroom shouting matches between Arroyo and Trade and Industry Secretary Jose Concepcion, whose twin brother Raul was among the businessmen the Executive Secretary had accused of treason. As other Cabinet members joined in the melee, a furious Aquino said, "Don't you people have anything else to do except fight and quarrel with each other?" To the officials present she said, "I want all your resignations right now." She then called the emergency session of the full Cabinet. Said U.S. Political Analyst Richard Kessler: "For a long time, the question has been,



The President's friend under fire: Arroyo after tendering his resignation

*Renegade soldiers remained at large, and political bickering mounted.*

The opposition to Arroyo solidified last week, after he appeared before the Philippine Congress to defend the government's performance in quelling the last mutiny. Though he had planned to ask Congress to close ranks behind Aquino, Arroyo instead spent three hours berating the military, the Roman Catholic Church and the business community for failing to support her during the uprising. He compared Ramos' spokesman Colonel Honesto Isleta with Joseph Goebbels, Hitler's propagandist. Arroyo said that three of the country's leading businessmen, all longtime Aquino boosters, are guilty of treason for plotting to have him fired. He also attacked Vice President Salvador Laurel, who a few days earlier had polled loyal soldiers on their opinion of Colonel Gregorio ("Gringo") Honasan, the leader of the most recent rebellion. The soldiers felt that Honasan should not only be pardoned but also promoted. Arroyo accused Laurel of fomenting dissent.

If Arroyo's congressional outbursts

"Can Cory live without Joker?" Now she really can't live with him."

Even without Arroyo, Aquino would still face daunting difficulties. "Dropping him may change the climate," said Blas Ople. "It won't change any fundamental problems." Though she has managed to revive democratic institutions, Aquino has yet to forge a clear set of legislative priorities. Her attempts at promoting economic recovery were sidetracked by last month's uprising. Meanwhile, rumors are swirling that Honasan is planning to launch another takeover attempt, this time using tanks under his command. And late last week, Communist guerrillas waged a heated battle with government troops just 30 miles away from Manila. Aquino is likely to find that keeping Arroyo in the Cabinet could make her life more difficult—but that dropping him may not make things much easier.

—By Howard G. Chua-Eoan,  
Reported by Jay Brangan and Nellie Sindayan/  
Manila



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## World

# An Interview with Viet Nam's Nguyen Van Linh

*"Let us put the war behind us and work for a peaceful future"*

Nguyen Van Linh is, in a sense, the Mikhail Gorbachev of Viet Nam. Named last December to replace Truong Chinh as General Secretary of the Vietnamese Communist Party, the 72-year-old economist has initiated a series of broad economic reforms, while encouraging citizens to voice their complaints and offer suggestions for change. Unlike the aging guard that led the wars against France and the U.S., then allowed the country to stagnate in poverty, Linh plans to raise his country's standard of living by streamlining the bureaucracy, cracking down on corruption and expanding trade with the West. He is also eager to improve relations with the U.S. In a rare interview with a Western journalist, Linh last week outlined his plans to TIME. Bangkok Bureau Chief Dean Brelis. Excerpts:

**On U.S.-Vietnamese relations.** We want to forget the past, forget that under several American Presidents we were engaged in a brutal war we did not start. We would like to see the U.S. embargo lifted and the two sides sit down and talk over the problems that are left from the war—problems like both sides cooperating to find the remains of Americans missing in action. We want the Americans, all of them, to go to America, if the father wants his child. If the Vietnamese mother wants to go, she will be allowed to go. There is no interest, none, for either country to maintain a gap between us. Step by step, we should move to restore diplomatic relations. Let us put the war behind us and work for a peaceful future.

**On reports of American POWs in Viet Nam.** I guarantee that there is not one single American held prisoner in our country. If there were, we would immediately turn him over to the U.S. Please put these absurd stories to rest. I recently heard that someone in America had offered a million dollars for the return of any American held prisoner of war in my country. How absurd.

**On economic reform.** We faced difficulties created by the ravages of 40 years of war. Afterward, we made costly mistakes in our effort to rebuild the country. Now we know the mistakes and their price. We were too hasty, too simplistic, too subjective. We tried to build socialism without going through the necessary period of capitalist development. Today we are



The party leader in a relaxed moment with his granddaughter

correcting those mistakes with a profound and thorough renovation. A policy has already begun that wipes out a centralized bureaucracy based on state subsidies that caused our people suffering.

Our people need and want increased food production, and that they will get. At the same time, we will combat inflation with a greater supply of consumer goods to meet demand. It will be a balanced development that should result in a surplus of such exports as coal, oil, timber, tea and frozen seafoods. We are firing those not qualified, prosecuting those who abuse privilege and are corrupt. Our newly appointed younger managers will make decisions with brains in their heads, integrity in their hearts.

**On the recent leadership changes.** Originally, there were great leaders whose primary task was to liberate the whole country, regain independence and reunify the country. They made history. Today leadership tasks have changed. The style is also changing. We do not forget the great leaders who preceded us, and we approach our task, as they did, with a high degree of responsibility for the destiny of our nation. Democratic rights have been broadened. The working principle of openness—let the people know, let the

people discuss, let the people work and let the people control—is fast becoming a way of life in our society.

**On Vietnamese and Soviet reforms.** The reasons for restructuring in the Soviet Union and renovation in Viet Nam are not the same. The level of development of the two countries is different. But both changes are aimed at freeing productive forces and accelerating development. The Soviet Union strongly supports Viet Nam's renovation, and Viet Nam wholeheartedly supports the Soviet Union's restructuring.

**On Viet Nam's occupation of Kampuchea.** I don't think it was a mistake for us to go in there. Even in the worst hours of the war with America, there was no such brutal massacre of Vietnamese civilians as occurred when [Khmer Rouge Leader] Pol Pot invaded our land [in 1978]. We had no choice but to fight back. China gave the Pol Pot forces support, weapons and money. After we got them out and they went into Thailand, I should add, they received assistance from the CIA. Under such circumstances, the people of Kampuchea asked us to remain. As soon as the situation is stabilized and the Pol Pot regime cannot begin again to massacre at will, the volunteers from Viet Nam will come home.

**On China.** Relations are difficult, not just because of the Kampuchea problem. China wanted Viet Nam to be its satellite, and through Viet Nam, Kampuchea and Laos expand China's power into Southeast Asia.

**On trade.** We want to broaden economic cooperation with all countries, socialist or capitalist, on the basis of mutual benefits and without political conditions. International trade is important to our future, especially with our neighbors and with Japan. Many private companies have already established economic ties with Viet Nam. We want to see those expand. I believe we are moving in the direction of the economic integration of Southeast Asia.

**On his pastimes.** There isn't much time these days, but when there is an hour here or there, I turn to reading. My first love is Vietnamese literature, but I also enjoy Victor Hugo, Balzac, Mark Twain, Thomas Jefferson and Thomas Paine.

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## DISCUSSION

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## World

EAST-WEST

### Little Man vs. Big Man

*Honecker encounters a chilly reception in Bonn*

When foreign dignitaries visit Bonn, West German Chancellor Helmut Kohl usually greets them like a jolly innkeeper, slapping backs and exchanging jokes. But last week, as Erich Honecker's 18-car motorcade pulled up outside the Chancellery, Kohl could barely contain his distaste for the historic occasion, the first time a top East German leader had set foot in West Germany. After glumly shaking hands with the East German Communist Party chief, he bluntly waved away photographers asking for a replay. Said Kohl: "We've already done it."

Kohl's irascibility reflected the deep ambivalence that attended Honecker's five-day visit. Polls showed that three out of four West Germans were in favor of the trip. But like Kohl, many of them took no enjoyment in providing de facto recognition of East Germany, which Bonn still considers part of a single German nation. They were especially unhappy that such recognition was being awarded through Honecker, architect of the infamous Berlin Wall.

Kohl's chilly welcome proved downright warm compared with his performance during twelve hours of meetings with his guest. Indeed, only once during the trip could the Chancellor force himself to refer to East Germany by its official name, the German Democratic Republic.

Usually he called it "your place." Far from dwelling on the progress achieved over the years in relations between the two countries, Kohl launched into a blistering attack on Honecker's regime, de-



Honecker and Kohl laugh it up at the Chancellery

nouncing it for everything from holding political prisoners to enforcing a shoot-to-kill order against East German citizens who try to flee to the West. Such policies, he said at a Bonn banquet, collide with the goal of the "unity and self-determination of a free Germany." Visibly irritated, Honecker included an extemporaneous riposte in his prepared remarks. Communism and capitalism, he said, "are like fire and water."

At 6 ft. 2 in., Kohl towered eight inch-

es over his guest, leading police escorts to dub the pair Big Man and Little Man. Despite his height advantage, Kohl later complained that he had developed a visceral aversion to his guest, who "physically gave me the jitters." Honecker, spry at 75 but stiff and formal around Kohl, visibly relaxed as he toured four of West Germany's eleven states. He softened his rhetoric, at one point predicting that the border between East and West Germany will one day "no longer divide us but unite us." The most touching moment came when Honecker arrived in Wiebelskirchen, the Saarland town where he grew up. After visiting the graves of his parents, Honecker seemed close to tears as he greeted acquaintances he had not seen in 40 years.

Though the two leaders signed three technical accords, the only real point to the meetings, as a West German official put it, was to establish once and for all that "there are two Germans and there will remain two Germans for some time to come." That being so, Kohl and Honecker agreed to meet again in East Germany,

though no date was set. West German Industrialist Otto Wolff von Amerongen may have best summed up the mood when he met the East German leader in Cologne. Alluding to Honecker's banquet jab, he said, "As long as the German people are not on fire or under water, we may be O.K." Throughout a trip filled with tension, it was one of the few lines that brought a smile to Honecker's lips. —By William R. Doerner.

Reported by William McWhirter/Bonn

### Will He or Won't He?

"Kim Dae Jung! Kim Dae Jung!" That cry greeted South Korea's best-known opposition leader last week as he visited his native Cholla region for the first time in 16 years. Though Kim, 63, called the trip a "sentimental journey of the heart," the adulation he met transformed the three-day tour into a political triumph. It also raised anew a hot question: Would Kim break a vow not to run for office and seek to become a candidate in December, when South Korea holds its first democratic presidential elections since 1971?

Kim certainly acted like a man on the hustings. His voice cracking with emotion, he delivered a fiery address in a cemetery in Kwangu, where at least 191 people died in a 1980 uprising against South Korea's military rulers. Hundreds of thousands of onlookers then surged into the street behind Kim's car and followed it to Kwangu's main square, where Kim promised higher wages for workers and better crop prices for farmers.

A presidential candidate in 1971 who was subsequently kidnapped, imprisoned and sentenced to death, Kim declared that the "trip far exceeded my expectations." But he said he plans to make more tours before deciding whether to run. An adviser to the Reunification Democratic Party, Kim remains wary of challenging Kim Young Sam, 59, the party's president. Neither man wants to split the opposition vote in the race against Roh Tae Woo, the candidate of the ruling Democratic Justice Party. While Kim may finally settle for the role of elder statesman, the cheers in Kwangu last week would make any politician think twice.



CUBA

# Whispers Behind the Slogans

*On Castro's isle, '53 Chevys, boom boxes and American dreams*

"The minimizing of entry red tape reveals that you are expected and welcome to this land of gorgeous adventure and the limber elbow," notes the 1938 Blue Guide to Cuba in summoning Americans to the nearby island. Nowadays, of course, the situation is different. For more than two decades, Cuba has been virtually off limits to U.S. citizens. Recently, however, *TIME* Contributor Pico Iyer was able to spend roughly three weeks as a tourist on Fidel Castro's island on two separate trips. His impressions:

**T**he studio apartment is hidden away amid the rambling old Mafia hotels and quiet leafy parks of Vedado, Havana's modern midtown district. Like many a Cuban home, it has a dusty attic quality, the poignancy of a well-cared-for poverty. The apartment's contents are fairly typical. A high shelf has been turned into a home-made altar, crowded with Catholic icons. Below is a shelf stuffed with the works of Spinoza, Graham Greene, Raymond Chandler. Between the two is a huge black-and-white TV set on which, boasts its owner, he can sometimes catch programs from the U.S. All through the place a ceaseless whine crackles out of a bright red Phillips boom box, bought under the counter for \$800 and tuned now to Radio Marti, the anti-Castro station run by Cuban exiles in Miami. Every now and then, the hum of the half-jammed station is drowned out by the squawks of a rooster named Reagan. Why Reagan? Because, says his keeper, his alarms, unlike those of certain local leaders, are brief and to the point.

The owner of the tiny cell, a government worker, acquired it through a bribe and maintains it with the extra money he has made surreptitiously taping and transcribing each week for five years the American Top 40 Countdown, broadcast on a commercial station in Florida. By day he serves his country; by night, like many young Cubans, he dreams of escape. "If ever I get to the U.S.," he says with a wistful smile, "I could get a job in Hollywood. All my life I have learned how to act. Sometimes I smile inside, it is so crazy."

The qualities that hit a visitor most forcibly on arrival in Cuba are its beauty and its buoyancy: the crooked streets and sunlit Spanish courtyards of Old Havana; the chrome-polished 1953 Chevrolets that croak along tree-lined streets past faded but still gracious homes of lemon yellow, orange and sky blue; the warm breeze that comes off the sea at night. In contrast to the gray functionalism of other Communist countries, Cuba is, after all, a decidedly Caribbean island of gaiety and light. On balmy nights, the sound of rumbas pulses through Coppelia, the central park,

where brightly dressed teenagers strut around in love or else in search of it. On a brilliant Sunday afternoon in spacious Lenin Park, a steel band lays down a lilting beat and khaki-uniformed officials wave their caps in time to the music. Yet beneath the infectious island rhythms, there is a sad, steady whisper. "If there were no sea between us and the U.S.," says a musician under his breath, "this place would be empty tomorrow."

As Castro's Revolution shuffles through its 29th year, many Cubans are surprisingly ready to voice, however quietly, their impatience with a system that still seems stranded in its noisy infancy. Almost no one would deny that health and education, both free, have improved considerably since the days of Dictator Fulgencio Batista. Grinding poverty has been erased. Drugs and prostitution, which flourished when the place was a raffish offshore playground for Americans, have now gone underground. But in the face of those advances, the man in the Havana street is still unable to speak or travel as he pleases. Money is more than ever in desperately short supply. "Cuba is suffering an economic crisis of massive proportions," says a foreign diplomat. "Here is a country with no free press, no opposition parties, no capital flight, a controlled economy and \$4.6 billion from the Soviets each year—and they're still, in hard-currency terms, almost bankrupt."

That chaos is everywhere apparent. Though Cubans have to pay only about 10% of their salary for rent—often barely \$10 a month—they must spend twice as much just to buy an imported deck of playing cards. Block-long lines of people wait nine hours through the night and six hours more to get into the Centro department store, still commonly known by its prerevolutionary name, Sears, where government surplus items are sold at extortionate prices (\$2 for a small bar of chocolate). "We have some good news and some bad news," runs the local joke. "The bad news is that everyone is going to have to eat stones; the good news is that there are not enough to go around."

With money scarce, and goods even scarcer, a diplomat observes, "crooked deals multiply until they ensure that the economic plan can never work." Some people take photos, fix jalopies or do typing on the side; others simply try to resell the goods they manage to procure. The rampant finagling is only encouraged by a bureaucracy with so many hands that none is likely to know what the others are doing: in a Havana telephone directory, the list of ministries takes up 77 pages.

Though talking to foreigners is forbidden, a tourist alone presents an irresistible target. A phone rings in his hotel room, and a girl the visitor has never met professes eternal love, leading, no doubt, to a quickie marriage and a ticket out. A government worker takes him aside and asks, with great diffidence, if he would mind very much having his passport stolen. "Nobody is happy, but everyone is afraid to speak out," observes a habanero. "Nobody trusts anybody else. A few years ago, a generation arose that wanted reform. Now the main preoccupation is keeping quiet. People are waiting to see what will happen when Fidel goes."



Communism with a Caribbean touch; generations of defending the Revolution





One dissident recalls a late-night knock at the door. A mild-looking young official stood outside with a request. "We want you to come and do three months of military service." "If I do," said the dissenter, "I will lose my job." "No problem," said the recruiter. "We will take care of you." The uninvited visitor ultimately agreed to go away, indicating that some free choice still exists in Cuba. But that the summons can come at all shows just how fragile that freedom remains.

While the typical Cuban struggles to live off his various resources, he cannot fail to notice that his leader is spending lavishly on grand public relations flourishes: building giant convention centers, inviting outsiders to inspect the Revolution at government expense, sending more than 800 athletes to Indianapolis for the Pan American Games last month. Even malcontents, however, are often willing to absolve their boss of the blame. "The Bearded One is a good man," says a critic of the government. "He understands everything. But the people

around him are no good." Like many comments, that implies a deep anxiety about what will happen if Castro is succeeded by his less charismatic, more dogmatic younger brother Raúl, currently Commander in Chief of the armed forces.

In spite, or maybe because, of all the discordant bass notes, the government constantly tries to drum up new support. Billboards, telephone poles, even entire buildings are awash in exhortations: NOW IS THE HOUR OF SACRIFICE; THE FIRST DUTY OF REVOLUTION IS TO WORK; TODAY WE ARE PROTAGONISTS IN AN AGE WHEN EVEN THE EVERYDAY CAN BE HEROIC. Earlier this year, half a block in Vedado was given over to a multicolored Communist Youth pavilion pulsing with catchy rock tunes. More recently, small towns across the country were plastered with posters declaring, IT IS ALWAYS THE 26TH, in honor of the anniversary of the Revolution's opening shot on July 26, 1953.

Castro reserves his most strident gestures for his neighbor across the water. Im-

mediately opposite the U.S. Interests Section in Havana, a branch of the Swiss embassy staffed by 20 Americans, a neon sign featuring a caricatured version of Uncle Sam and a Cuban guerrilla still flashes the message MR. IMPERIALISTS! WE HAVE ABSOLUTELY NO FEAR OF YOU! Turn on the TV on a typical day, and you will find a documentary about Mafiosi drug lords in the South Bronx. Go to a bookstore, and the main specimen of English literature on display is *The Godfather*.

Not surprisingly, many citizens feel insulted by what one calls "these prerecorded tapes the government tries to play in my head." In private, they prefer to swap rumors about their leader or insult his Soviet patrons. Asked if he learned Russian in school, a church worker exclaims, "I would rather die!" Grumbles a construction worker nearby, "I would never buy anything Russian. You might as well throw your money away!"

The flip side of that preference, and surely the most subversive fact of life in Cuba, is the simple, tantalizing closeness of the U.S. Donald Duck stickers are a status symbol everywhere in Havana, and audiences cheer on the Goonies with much more gusto than the propaganda shorts that precede the feature film. At a local baseball game a foreign service officer asks desperately for the latest about the New York Mets' Dwight Gooden. Almost everyone has a close friend, an uncle, even a parent in the U.S., whose reports of the affluent society they are not inclined to write off as propaganda. Small wonder, then, that in June alone more than 50 Cubans splashed ashore in Florida, while almost simultaneously two of Castro's top aides defected to the U.S.

Not all young Cubans are hostile to their system. "Look at me," says a nattily dressed, blond 24-year-old who spent two years stationed in Angola. "Do I look like the kind of guy you Americans call a mercenary? Do I have horns on my head? Sure, we have problems over there, just like you guys did in Viet Nam. But we had help from the East Germans and others in our Revolution, and it is our turn to help others. It is important that we repay our debts."

For such firm loyalists, ideology knows no borders. "I think Bruce Springsteen is a blind nationalist," proclaims the former trooper in the easy drawl he has copied from Florida deejays. "Sure! Just look at that title, *Born in the U.S.A.*!" Even here, though, things are not quite as clear as they seem. In the ex-soldier's spacious home off once splendid Fifth Avenue, a picture of Che Guevara stares across at an equally large poster of Barry Manilow. Downtown in central Havana, a 15-year-old schoolgirl goes him one better. On top of her dresser she has carefully fashioned a collage of her three great heroes: Michael Jackson, Jesus and Che. Thus the unlikely eclecticism of Cuba's revolutionary experiment.

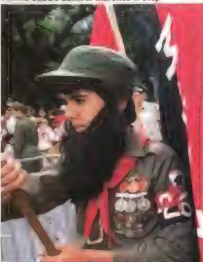
—By Pico Iyer/Havana



Schoolchildren pledging allegiance; a tobacco farmer samples his product



Filled to the brim with sugar cane; a Castro admirer marches in step





A group of Aborigines jailed for drunkenness: a legacy of poverty, disease and injustice for a tiny minority that once called the country its own

AUSTRALIA

## Two Hundred Years Later . . .

*As the bicentennial nears, Hawke offers Aborigines fresh hope*

**W**arra, warra!" With this half-angry, half-frightened shout to "go away," the Aborigines greeted the first fleet of British ships that ferried white convicts to colonize Australia in January 1788. The Europeans ignored the yells, and the Aborigines have suffered from negligence ever since. Now comprising only 1% of Australia's population of 16 million, the Aborigines have become a forgotten and impoverished minority, relegated to the squalid fringes of rural towns and shabby city suburbs of a continent that once was theirs alone. "We are a captive people," says Paul Coe, an Aboriginal leader. "We are a managed

people." Now, just four months before the country's bicentennial, the Aborigines have reason to hope for better times. Prime Minister Bob Hawke announced earlier this month that he was seeking a "compact" of understanding with the powerless Aborigines. "Before 1987 is finished," said Hawke, "it would be good to have some clear acknowledgment that in the 200 years of European settlement, considerable injustice has been done to the Aboriginal people."

Hawke presumably hoped that by holding out the promise of an agreement, he would pre-empt plans by Aboriginal activists to turn the government's celebrations next year into a forum for their claims of racial inequality. Still, Hawke was vague about whether the compact would take the form of a new statute or a territorial treaty recognizing tribal land

rights. What was important, he said, was "attitude and commitment."

Any attention to the problems of Aborigines would be an improvement over years of neglect. The unemployment rate among Aborigines is 45%, compared with 8% for white Australians. Alcoholism and malnutrition are so rampant that the expected life span for an Aboriginal man is 56, compared with 72 for a white Australian. According to Dr. Michael Gracey, a medical researcher in Perth, high levels of infection, unbalanced diets and poor hygiene are all contributing to impaired growth among Aboriginal children. Trapped in a cycle of poverty, some 200 Aborigines rioted in two Outback towns in Queensland and New South Wales this year. Two weeks ago, 40 demonstrators demanding better housing stormed a government office in the Tasmanian capital of Hobart.

Aborigines are also imprisoned at a rate 14 times as high as that for whites. In fact, the number of deaths of Aborigines while in police custody—14 since December—is worrying the government. Last month Hawke set up a commission to look into the causes. One recent report claims that Aborigines are so used to being assaulted by police that they think it is a normal part of being arrested.

Long the victims of bigotry, some Aborigines have even expressed fears that the government's neglect is a subtle form of genocide. Such suspicions are rooted in history: In the early 1800s, white settlers massacred Aborigines, sometimes shoot-

ing them for sport. The Aborigine population, plagued by cholera and influenza, fell from more than 300,000 in the late 18th century to about 170,000 today. At a science conference in Queensland two weeks ago, historian Gwen Deemal-Hall alleged that the state government was injecting young Aboriginal women with a contraceptive drug to slow the growth of the indigenous population. Queensland officials denied the charge.

Hawke may have trouble translating the Aboriginal concept of property into law. As the Aborigines see it, the land is a tribal dreamscape filled with mythic ancestors and marked by legendary events. Previous governments have simply ignored these traditional claims, arguing that the nomadic Aborigines could not have a sense of landownership. Moreover, Australian businesses are not likely to give up their stakes in tribal land rich in precious metals. There is also little popular support for a compact. One poll found that 52% of white Australians consider it a "waste of time and money." Said John Howard, leader of the opposition Liberal Party: "There is no way the Australian people will ever accept that in some way we are two nations within one—nor should they."

The Aborigines remain skeptical of Hawke's proposal. A treaty will take more than a year to complete, if one can be put together at all. By then the bicentennial, the Aborigines' best opportunity to be heard, will be over. Says Rights Activist Galarwuy Yunupingu: "We will not be satisfied with a few hurried crumbs while white Australians get the rest of the birthday cake." That is one warning Hawke cannot ignore if he wants to be the host of a successful party.

—By Howard G. Chuva-Eoan.  
Reported by John Dunn/Melbourne

## World Notes



Belgium: Injured fan at Heysel Stadium, 1985



The gulf: tanker hit last week by Iran



Soviet Union: Begun and wife after hearing the news

### THE GULF

## Mission Improbable

United Nations Secretary-General Javier Pérez de Cuéllar arrived in Tehran on the first leg of a difficult mission: to negotiate a cease-fire in the seven-year war between Iran and Iraq. The two sides had been expected to stop fighting at least until the Secretary-General's visit ends this week. But after only a three-day lull, Iraqi warplanes attacked Iranian cities and industrial sites in what Iraqi President Saddam Hussein called a "day of revenge" for Iranian missile attacks on Kuwaiti targets the week before. Iran, meanwhile, said it could not "take the risk" of observing an unconditional cease-fire, as called for by a U.N. Security Council resolution two months ago. If Pérez de Cuéllar's mission fails, the next step will be a U.S. campaign for an international arms embargo against Iran.

### UNITED NATIONS

## Fingering the Forgotten

They are probably the most extensive and carefully documented files on Nazi war crimes in existence. Yet for decades the 40,000 dossiers, compiled by the 17-country War Crimes Commission at

the end of World War II, have been gathering dust on the eighth floor of a United Nations office building in New York City. Next week Secretary-General Pérez de Cuéllar will decide whether researchers and historians will be given access to the confidential records, which were "discovered" by Israeli officials last year. The documents sparked the controversy over the alleged participation in Nazi war crimes of Kurt Waldheim, the former U.N. Secretary-General who is now President of Austria. Opponents of increased access argue that the archives contain unsubstantiated charges that could harm innocent people. Counters an Israeli diplomat at the U.N.: "Secrecy will hurt, not help, those who might be innocent."

### SOVIET UNION

## Freedom Now, 16 Years Late

Soviet Dissident Isosif Begun has had a tumultuous year. Last February, after a series of public protests, the Soviet Union's best-known refusenik was abruptly released from labor camp after serving 3½ years on charges stemming from his activities as a Hebrew teacher. Last week Begun, 55, again got some good news. Soviet authorities announced that they were approving his 16-year-old request to emigrate to Israel.

Begun's elderly mother and his wife Inna will also be allowed to leave, along with more than a dozen other Soviet Jews who have been campaigning for exit permits for years. Moscow's move is evidently intended to gain favor with the West in anticipation of a summit this fall between President Reagan and Soviet Leader Mikhail Gorbachev.

### ARGENTINA

## Surprise at the Ballot Box

It was the sort of electoral verdict that sitting Presidents dread. In balloting that is certain to complicate the life of Argentine President Raúl Alfonsín between now and the end of his six-year term in 1989, the opposition Peronists captured 16 of the 21 governorships at stake and swept away the ruling Radical Civic Union's absolute majority in the 254-seat lower house of Congress. The Radicals now hold 117 seats, the Peronists an unnerving 105.

The Radicals tried to downplay the resurgence of the blue collar-based Peronist movement. "We knew it was coming," said Edgardo Catterberg, a party pollster. "There was a national sense of unfulfilled expectations." At issue was the government's handling of the economy. Inflation, which was running in the single digits two years ago, is

now nearly 14%. Alfonsín's determination to make regular interest payments on Argentina's \$54 billion foreign debt also continues to stir controversy. Addressing a business group late in the week, he cautioned, "We have lost the elections, but the tree has not fallen. No one should try to take wood before its time."

### BELGIUM

## Awaiting Trial In Style

While the new wing of Louvain Prison near Brussels is hardly luxurious, its color television sets, recreation rooms and large cells with attached bathrooms make it a relatively comfortable place to await trial. But the situation of the 26 English soccer fans now housed there is anything but comfortable. After being extradited from Britain, they face manslaughter charges arising from riots during the 1985 European Cup championships in Brussels' Heysel Stadium. Thirty-nine spectators died as they fled rabid English fans. Most of the victims were crushed to death.

The decision to put the suspects in Louvain outraged convicts at other Belgian prisons. Hundreds of inmates hurled stones and set fires at the overcrowded Forest and St. Gilles jails in Brussels. If convicted, the English fans could each be sentenced to ten years in prison.

## Economy & Business

# What, No Pool In the Foyer?

*Keeping up with the Joneses, 1987 style*

**F**or Chip Reid, 39, a partner in the Washington law firm of Covington & Burling, the dream house has become a reality. He and his wife and two young daughters moved into their new home in McLean, Va., last month, just as the first grass began to peep through on their newly seeded front lawn. Their dwelling, though, is more than just a cozy little nest in the suburbs. The Reids' Colonial-style house has 15 rooms, including four bedrooms, a library and an exercise center. Stereo music can be piped into each room, and, using infrared remote-control devices, the family can operate the sound system and even select a track on a compact disc from any part of the house. The home also has 4½ baths, six fireplaces and a high-tech exterior lighting system. But the really impressive part of the house is its price tag: \$900,000.

As high as that sounds, the sum the Reids paid for their home is not all that unusual in the U.S. of 1987. In suburban developments from Newport Beach in California to West Bloomfield near Detroit and from North Stamford, Conn., to the Buckhead area of Atlanta, luxury houses that start at \$500,000 and run well over \$1 million are sprouting in unprecedented numbers. Reason: the unusually long five-year-old economic expansion and the record-breaking stock market advance have rapidly swelled the ranks of the rich. Says Ray Gentile, a builder on Long Island's North Shore: "A shocking number of people have suddenly become wealthy, and they want to show the world. Their luxury home is the ultimate present to themselves."

The burgeoning demand for princely quarters has caused house prices to surge in many exclusive towns, especially on the East and West coasts. The average sale price of a home in Bradbury, Calif., a Los Angeles suburb, has in the past year gone from \$459,000 to \$610,000, according to a survey by the nationwide broker network of RELO, a Chicago-based relocation service. In Greenwich, Conn., northeast of Manhattan, the average cost has skyrocketed incredibly, from \$467,500 to \$1.2 million since the summer of 1986. Prices are

not rising that fast in heartland suburbs, but almost every region of the U.S. has a strong luxury-housing market, with the exception of depressed oil-patch states like Texas and Oklahoma.

Many of the new rich want to live like the old rich, and that is reflected in the classically grand façades of their houses. "One might look like Mount Vernon, one like the White House and one like Monticello," says Randolph Williams, developer of more than 20 luxury-home communities in the Washington suburbs. Inside, the new mansions often combine traditional elegance and modern glitz. Among the common features are mahogany trim, granite counter tops, marble floors, custom-made Palladian windows and spectacularly high ceilings.

One thing the top-dollar home of the 1980s often lacks, though, is a spacious stretch of surrounding land. Unlike estates of yore, which typically had 25 to 100 acres of grounds, many of the new mansions are built on one- or two-acre lots and lined up in rows almost like luxury Levittowns. Near Boca Raton, Fla., 90 huge multimillion-dollar homes have been shoehorned onto half-acre slivers in the Sanctuary, a development built along a canal. Says Sanctuary Builder Stephen Chefan: "We get people who look around and say, 'Four and a half million for a house on a postage stamp? You've got to be kidding!' But then they come back three days later, and they love it."

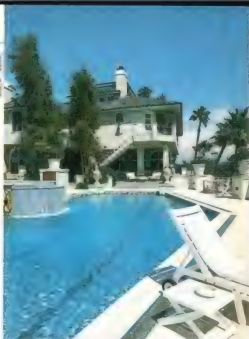
They may have no choice. More and more luxury homes are being built on relatively small plots because of the decreasing availability and surging price of choice suburban land. Property in the Washington area, for example, can cost as much as \$300,000 an acre, up more than 50% in the past 18 months. One prime two-acre waterfront lot in Lloyd Neck, Long Island, a suburb some 35 miles from Manhattan, sold in 1980 for \$90,000; the same land is now valued at \$1.2 million. New-home prices are directly affected by that inflation. Generally speaking, developers calculate the desirable sale price of a new house to be triple the cost of the land it is built on.



So who can afford the million-dollar tags on today's luxury homes? Plenty of people, it turns out. In addition to such traditional mansion buyers as movie stars and corporate magnates, there are fresh legions of investment bankers and lawyers who have made a killing on the merger frenzy, computer whizzes who have launched fast-growing companies, and service-industry entrepreneurs who have sold dozens of franchises for fast-food outlets or muffler-repair shops. Over the past five years, just the rise in stock prices has created an estimated 2,500 to 5,000 new millionaires and given untold added wealth to the nearly 500,000 people who already belonged to that elite circle.

The economic trends, meanwhile, are





An array of megahomes, clockwise, from top left: \$750,000-and-up houses in Lake Forest, Ill.; a \$20 million Bel Air, Calif., mansion; a Boca Raton, Fla., foyer; the Reids and their \$900,000 McLean, Va., residence



being reinforced by demographic and political forces. Hordes of young people who make up the giant postwar baby-boom generation are reaching the ages of 35 to 40 and coming into their peak earning years. The wealthiest boomers are now able and eager to buy luxury homes, and tax reform has given them an added incentive to do so. Because of the reform bill that Congress passed last year, hefty home mortgages are just about the only major tax shelter left.

Demand for lavish homes has helped bring feverish inflation to the broad housing market. In just a three-month period, between April and July, the average price of all new single-family homes sold in the U.S. jumped nearly 10%, to \$129,200. While the total number of freshly built single-family houses sold last year rose by 9% from 1985, sales of new homes priced at \$150,000 or more went up 49%. The size of houses is increasing as well, though not nearly as fast as the price. The average new single-family home now covers 1,825 sq. ft., up 7% since 1982.

The dark side of the rampant housing inflation is that it is becoming more difficult for families to buy a new house if they do not already own a home that they can sell at a hefty price. The National Association of Home Builders estimates that nearly 70% of this year's buyers of new homes are trading up—exchanging their old houses for better, more expensive ones. Thus first-time buyers account for only 30% of the market, down from 50% as recently as 1982.

Strong sales of suburban homes are almost the only bright spot in an otherwise sluggish building industry. While the number of single-family homes started



## Economy & Business

last year went up 10% from 1985, construction of new apartment dwellings was down 6%. Meanwhile, the value of commercial and industrial construction also declined 6%.

Just as the huge demand for deluxe homes is a godsend to builders, it is a boon to the suppliers of quality home furnishings. U.S. sales of finished marble increased by 32% last year, to nearly \$1 billion. Old World Moulding & Finishing, a Farmingdale, N.Y., manufacturer of some 500 different kinds of moldings, reports that its 1986 sales topped \$1 million, an increase of nearly 90% in one year. Marvin Windows, a Warroad, Minn., firm that makes custom-made windows and patio doors for the expensive-home market, has had record sales every year since 1982. The company has been swamped with orders for windows in the shapes of circles, ovals, stars, footballs and hearts.

Purveyors of high-tech consumer electronics are also fond of the megahome trend: it often allows them to sell twice as many goodies to one homeowner. Dual "entertainment centers," including one for the children, are increasingly common in today's luxury homes. Both centers may be outfitted with records and audio and videotapes, along with movie and big-screen-TV equipment. At the Blackhawk luxury-house complex in Danville, Calif., one homeowner installed a separate entertainment center with a TV and stereo in the guest suite of his 10,000-sq.-ft. Normandy-style chateau, for those times when his guests might want to relax in style without their hosts.

**M**any of the well-heeled members of the suburban gentry go to more extravagant lengths. Cableland, the 30-room mansion built by Cable TV Mogul Bill Daniels in Denver, has a bandstand in the living room. A \$20 million home in Bel Air, Calif., owned by a Los Angeles developer and a partner, has a 55-ft.-long above-ground swimming pool on a terrace. The pool has underwater windows that give swimmers a spectacular view of the Los Angeles Basin. In Lake Forest, Ill., a 38-year-old consumer-electronics salesman has installed both a waterfall and a swimming pool in his kitchen.

Some industry experts think the luxury-housing bubble is bound to burst before too long. The economy cannot keep expanding indefinitely, and interest rates, including mortgage costs, are starting to rise from the low levels that have prevailed for the past few years. But as long as the heated demand lasts, the megabuilders intend to keep putting up mansions that Citizen Kane would not be ashamed to live in. Says Budd Holden, a Los Angeles luxury-home developer: "The people spending millions of dollars on a home are buying not so much a house as a lifestyle." And a pretty good one, at that.

—By Janice Castro, Reported by Rosemary Byrnes/New York, with other bureaus

## Here Comes the Cavalry

*The U.S. and a tough new boss rescue an imperiled Texas bank*

**T**he mood seemed remarkably upbeat for the headquarters of a company that has been hemorrhaging money for two years. Workers danced in the hallways. A manager who had submitted his resignation five days earlier changed his mind. All in all, an air of elation last week permeated the Houston offices of First City, Texas' fourth largest banking firm. And with good reason: word had just come from Washington that the Federal Deposit Insurance Corporation had agreed to save the failing institution by pumping in \$970 million worth of assistance. The cavalry-like rescue was the second largest in banking history, eclipsed only by the FDIC's \$4.5 billion bailout of Continental Illinois in 1984.

The agency's plan calls for a dramatic

funds elsewhere, total deposits have dropped 27%, to \$9.9 billion, since 1983.

How it all happened is a typical tale of oil-patch woe. When petroleum prices were high in the late 1970s, First City lent extensively to oil-rig builders and small supply firms. When prices later plunged, loan defaults skyrocketed. First City then boosted its presence in real estate loans—and that market softened. As foreclosures mounted, First City's management offered Arabian horses, Porsches or 40-ft. yachts to new customers who maintained accounts of \$100,000 and up. The gimmicks did not lure enough high rollers to stanch First City's losses, and talk of a takeover, bailout or shutdown mounted.

In rode the FDIC and Abboud, who will assume management of the company from Houston's powerful Elkins family. The current shareholders will end up with less than a 3% stake in First City. The FDIC intervention, financed by annual premiums that U.S. banks pay to the federal agency, kept the Government from having to pay depositors an estimated \$1.8 billion if the bank had gone out of business. But "this is no bailout," asserts FDIC Chairman L. William Seidman. "In terms of the stockholders and management, the bank has failed."

Abboud is no stranger to failures, bailouts or controversy. At First Chicago in the late 1970s, he helped the bank recover from a string of bad real estate losses. But associates complained that Abboud was autocratic and contributed to flagging morale. In 1980 the bank's board ousted him. Abboud soon became president of Occidental, only to resign in 1984 after policy clashes with Chairman Armand Hammer. Since then, Abboud has run his own investment firm near his home in the posh Chicago suburb of Barrington. His reputation for toughness lingers, however, and Abboud seems to revel in it. "People think the A in A. Robert Abboud stands for abrasive," he has said. (Actually, it stands for Alfred.)

Of course, a hard-edged manager may be just what First City needs. Despite a partial recovery in petroleum prices this year, the Texas economy is still stagnant and oil-patch lending remains a risky business. The FDIC has already rescued eleven Texas banks, while 38 others went belly up. Last week, as Abboud set up temporary quarters in a First City Tower conference room, he said he will aggressively seek new business, and predicted that First City will be profitable "very shortly" after the influx of FDIC and private funds. "As this bank emerges, it's going to be formidable," Abboud vowed. "We're starting clean."

—By Gordon Bock, Reported by Richard Hornik/Washington and Richard Woodbury/Houston



Abboud offered \$5 million of his own money

Porsches and yachts were not enough.

return to the banking business by A. Robert Abboud, former chairman of First Chicago and ex-president of Occidental Petroleum. Abboud, 58, known during a stormy 29-year career as an exacting boss, is spearheading a campaign to raise \$500 million and gain control of First City, a holding company that operates 61 banks in Texas and one in South Dakota. Abboud, who will become chairman, is kicking in \$5 million of his personal funds. His group, which had been conducting secret negotiations with the FDIC since November, beat out at least three rival bidders.

First City needs all the cash it can get. Its loan portfolio includes \$1.8 billion in debt on which interest is no longer being paid. The company's losses last year totaled \$402 million, and are likely to surpass \$300 million this year. Shares, valued at 41 in 1981, have fallen below 2. Because many wary customers have taken their



At headquarters in Tokyo, top managers were apparently ignorant of their subsidiary's intrigue

## Beware of Machines in Disguise

*The shocking conspiracy behind Toshiba's sales to the Soviets*

It is a deceptively dry-looking report, written by a Manhattan law firm and titled *Investigation into Sales of Propeller Milling Machines to the Soviet Union by Toshiba Machine Co., Ltd.* But its 45 off-white pages portray an industrial intrigue complete with disguised machine tools, secretive meetings, stifled whistle blowers and burned records. The probe, which was commissioned by Tokyo's Toshiba Corp. and released last week, describes for the first time in detail the conspiracy behind the covert sales made to the Soviet Union by Toshiba's subsidiary, Toshiba Machine. It was a crime that the Pentagon claims has helped Soviet submarines elude detection more easily.

Perhaps the most startling revelation was Toshiba Machine's apparent rationale for the illegal sales. The report tells how the Soviets had tempted Toshiba once before, during the mid-1970s, with an offer to buy advanced milling machines. Toshiba dutifully refused at that time, but then watched in frustration as a rival company, a now defunct French firm called Ratier-Forest, apparently filled the order instead. (French authorities are investigating that transaction.)

Thus when Soviet officials dropped new hints about buying banned equipment from Toshiba Machine in 1979 and 1980, the Japanese company's president ordered his export sales manager to "do what had to be done to get the business," the report says. That launched more than a year of globe hopping and clandestine meetings between Toshiba executives and Soviet officials, who eventually hatched a scheme to slip altered equipment past Japan's export watchdog, the Ministry of International Trade and Industry.

In two secret shipments, Toshiba Machine disguised eight sophisticated milling machines as simple hole-boring devices and rechristened them with misleading jargon (in one case, from a

model MBP 110 to a TDP 70-110) to fool MITI inspectors. When Toshiba had brought Soviet officials to its plant to see the machines work, engineers demonstrated only the simple functions during normal working hours, then later showed off the equipment's true capacity when the plant was deserted, the report claims. The secrecy extended even to accounting: Toshiba Machine allegedly split the proceeds from one shipment into two semi-annual periods to avoid drawing attention to the company's sales boost.

The jig was up when a disgruntled Japanese trading-company employee who helped with the sale wrote a whistle-blowing statement that found its way to MITI. The agency's initial probe made no headway, since Toshiba Machine's executives stuck so uniformly to their phony story. Inside the company, a full-scale cover-up was under way, in which employees incinerated documents by tossing them into factory furnaces. When the allegations were finally leaked to the press last March, MITI was compelled to send the police, who grilled employees until the truth emerged.

Despite all the tawdry details, the report may help Toshiba quell anger in Washington, since the probe concludes that the subterfuge was confined to the company's machine-tool subsidiary. Congress is considering several proposals that would impose sanctions, the most severe of which would ban Toshiba's exports to the U.S. for as long as five years (potential annual loss: \$2.8 billion). Other companies may soon join Toshiba in the spotlight, for the increasingly vigilant Japanese government is said to be investigating some 20 firms it suspects of violating the country's technology-export laws.

—By Stephen Koepf

Reported by Yukinori Ishikawa/Tokyo and Elaine Shannon/Washington

## The Big Do

*DEC, a hot firm, aims at IBM*

Even in the computer industry, which is known for its hype and hullabaloo, the trade show that Digital Equipment Corp. opened in Boston last week is a happening. It is the largest and most lavish extravaganza ever held by a single computer manufacturer, and not even all the hotels in the Hub could accommodate the 50,000 executives, financial analysts and journalists from 25 countries who are expected to attend the \$25 million, eleven-day affair. To house the overflow crowd, the *Queen Elizabeth 2* and the *Star Ship Oceanic* luxury liners were docked alongside the spacious World Trade Center on Boston Harbor, where DEC put up a raft of electronic exhibits and unveiled a new line of machines in the midsize or "mini-computer" class.

By staging such a show, DEC seemed to be sending a message to archrival IBM: look out. Big Blue has a leading 17% share of the \$18 billion annual market for mini-computers, compared with 13% for DEC. But in the past two years, DEC has introduced a dizzying array of new machines that could thrust it in front. During its last fiscal year, DEC increased its sales by nearly 25%, to \$9.4 billion, and doubled its profits, to \$1.14 billion. In the past 18 months its stock price has tripled, to 190, surpassing the cost of an IBM share, which closed last week at about 160.

DEC's new computers, priced from \$75,000 to \$180,000, are extensions of its successful VAX line and represent the company's most aggressive assault yet on IBM. Traditionally, DEC has focused on the scientific and engineering markets, but the firm is now targeting such IBM strongholds as financial services, government and aerospace. For its part, IBM recently introduced a line of computers dubbed "VAX-killers." But industry analysts believe DEC's latest machines, which are twice as fast as IBM's, may be invulnerable to Big Blue's best shots. ■



A multiscreen visual display at the DEC show



Courtesy of The Asia Society, Photo: Otto E. Harter

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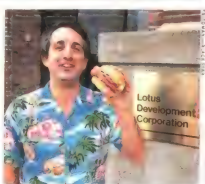
## Business Notes



Entertainment: Eddie Murphy in *Beverly Hills Cop II*



Marketing: a dud of a doll



Entrepreneurs: Kapor will not go hungry

### TRADE

## Falling Deeper Into the Gap

It was a disturbing deterioration of an already dismal situation. The Federal Government revealed that the U.S. trade deficit widened for the fourth month in a row, reaching a record \$16.5 billion in July. Moreover, the figures contained a new reason for concern. In previous months the main problem was caused by rising imports, while the export performance was improving. In July, however, imports increased 2%, but exports drooped 5%. The widening trade deficit is confounding economists because they expected it to shrink as a result of the dollar's two-year, 40% decline. Yet the stock market, possibly buoyed by news that the wholesale price index remained level in July, shook off the trade figures and broke out of a two-week bearish streak. The Dow Jones average raced upward on Friday to finish at 2608.74, a gain of 47.36 points for the week.

### ENTERTAINMENT

## Hooray for Hollywood!

The big picture is bright in Tinseltown. Scoring its best summer season ever, the movie industry racked up a record

\$1.6 billion in ticket sales. That nosed out the previous mark of \$1.58 billion achieved in 1984. Back then it was a handful of such blockbusters as *Indiana Jones and the Temple of Doom*, *Ghostbusters* and *Gremlins*, each of which reeled in more than \$100 million, that led to the banner year. This season, with the exception of the Eddie Murphy triumph *Beverly Hills Cop II*, which has pulled in \$151 million, a dozen or so lesser hits are doing the job. Among them: *The Untouchables*, *Roxanne*, *Dirty Dancing* and *La Bamba*.

### AUTOS

## First a Deal, Then a Dent

For Ford, the experience was akin to buying a new car and then suffering a serious dent only a few days later. The No. 2 U.S. automaker began last week by announcing plans to acquire a 75% stake (price: more than \$30 million) in Aston Martin Lagonda, the manufacturer of hand-assembled sports cars that carry an average price tag of \$130,000. While the British car company has sputtered financially, its products have long enjoyed a sterling reputation. Queen Elizabeth II gave an Aston Martin to Prince Charles for his 21st birthday, and James Bond has driven the cars in the films *Goldfinger* and *The Living Daylights*.

Yet Ford had little time to savor its new European connection before making an embarrassing announcement. The company said it planned to recall 4.3 million cars, light trucks and vans to correct fuel-system defects that have caused some 230 engine fires and injured 16 people. The problems afflict vehicles with fuel-injected engines from the 1986 through 1988 model years, including the Mercury Sable, the Ford Taurus and the Aerostar van. Ford's recall is the largest by a U.S. automaker since 1981, and could be a setback to the company's newly regained reputation for high quality.

### ENTREPRENEURS

## Lox on a Floppy Disk, to Go

When Mitch Kapor, 36, the computer-software wunderkind, resigned as chairman of Lotus Development Corp. last year, he said he was leaving to "explore other endeavors." So what has the former disk jockey and transcendental-meditation instructor come up with for an encore? Opening a delicatessen only a matzoh ball's throw from Harvard Square in Cambridge, Mass. "I see it as a social service," says Brooklyn-born Kapor. "The deli is for anyone who complains about not being able to find a decent pastrami sandwich in Boston."

Kapor is not the only prominent pastrami lover in the new enterprise. Among his five "mostly Jewish and home-sick" partners is Harvard Law Professor Alan Dershowitz. Quips Kapor, who is looking for a new niche in the software industry: "At least I won't go hungry in the meantime."

### MARKETING

## Ollie's Items Far from Hardy

Seemingly within moments of Oliver North's appearance at the congressional Iran-*contra* hearings in July, quick-witted entrepreneurs rushed to cash in on Olliemania. There were Ollie T-shirts, bumper stickers and dolls. The Old Man River Doghouse, an eatery in Tona-wanda, N.Y., created the Oliver North sandwich, with beef, bologna, shredded lettuce and a "secret covert sauce."

But fame can be as fleeting as an image on a television screen. Olliemania is a bust. Joel Shelton of Boulder sold (at \$12 each) fewer than 500 shirts bearing North's picture. John Lee Hudson of San Francisco is canceling plans for a mail-order Ollie doll (\$19.95) because he received only 200 orders. And the Old Man River Doghouse has replaced the Oliver North sandwich with the Piggly Wiggly, a frankfurter topped with bacon and cheese. From hero to hot dog in just two months.



## Medicine

### An Hour When Life Stood Still

*In a dazzling daylong operation, Siamese twins are separated*

For seven months the blond, chubby-cheeked twins ate, slept, cried, had their diapers changed, just like babies everywhere. But they gazed at the world around them from an awkward and virtually immobilizing position. The two were joined at the back of the head, with their faces turned Janus-like in opposite directions. Sitting up or crawling was impossible. By the time they were brought to Johns Hopkins Children's Center in August, they weighed a total of 30 lbs.—too heavy and clumsy a bundle for their mother to carry easily.

Last week, for the first time in their brief lives, Patrick and Benjamin Binder of Ulm, West Germany, lay in separate cribs. Benjamin rested next to his stuffed dog, Patrick with his teddy bear nearby. They had been parted during an operation of staggering complexity and delicacy—five months in the planning, 22 hours in the execution, and involving 70 doctors, nurses and technicians. The procedure required draining all the blood from the boys' bodies and completely stopping their heartbeat. At week's end both were in critical but stable condition. Until the babies are roused from drug-induced comas, doctors cannot fully assess their health. "Success in this operation is not just separating the twins," says Dr. Mark Rogers, who coordinated the effort. "Success is producing two normal children."

The Binder twins represent a rare natural anomaly. Siamese twins, who usually die at or before birth, occur in only one out of 100,000 deliveries, the result of an incomplete division of the fertilized egg in forming identical twins. Only one out of every 2 million births produces twins who are joined at the head. Because of the way the Binder babies were attached, their prospects were especially bleak. Without surgical intervention, says Rogers, who is chief of pediatric intensive care, "they would have had to remain bedridden for as long as they lived."

The difficulties of separating them were clear from X rays. The boys had separate brains, but they shared a major vein in the back of the head called the sagittal superior sinus, a large ca-



Without surgery, the boys' future was bleak

nal through which blood flows toward the heart. Past efforts to separate similarly joined twins had resulted in either death or brain damage. Indeed, one such attempt by doctors in Chicago in 1981 ended tragically with both children bleeding to death on the operating table. Theresia, 20, and Josef Binder, 36, searched in their own country and the U.S. for a medical team that could offer their sons a better prospect.

The surgical plan, initiated by Rogers and Pediatric Neurosurgeon Ben Carson, combined several intricate procedures. To avoid major hemorrhaging in the brains, they proposed to drain the boys' blood supply completely and stop the hearts. To prevent the brains and other organs from starving during this period without blood-borne oxygen and nutrients, metabolic demands would be reduced to a minimum

by lowering the babies' body temperature to 68° F, putting them into a state of suspended animation. Because their brains are resilient, children below the age of 18 months have a remarkable capacity to recover from induced hypothermia, which is frequently used in pediatric heart surgery. Even so, doctors figured that once the hearts were stopped, the doctors had no more than one hour to complete the separation and reconstruction before irreparable damage would occur.

Carson agonized over what material to use in constructing separate veins for the boys. Because brain sinuses are structurally different from veins elsewhere in the body, a vessel from the leg or another area would not do. Finally a colleague suggested a novel solution: using part of the pericardium, the membrane that surrounds the heart. "That was a fabulous idea," says Carson. "We knew we were going into the chest anyway. It was right there in front of us saying, 'Take me.'"

The procedure was organized "like a military operation," says Rogers. "We had to plan where 70 people would stand, where to put two bypass machines and all kinds of monitoring equipment." Two operating tables were modified so they would swing apart when the twins were separated. A ten-page play-by-play book detailed each step of the operation. Five rehearsals were held, using life-size dolls attached at the head with Velcro.

The real thing was scheduled for Labor Day weekend, when no elective surgery was planned. To assure that there would be enough skin to cover the anticipated 5-in. by 6-in. opening at the back of each baby's head, Plastic Surgeon Craig Dufresne had flown to Ulm in the spring and inserted small balloons under their scalp; these were gradually inflated with saline until a growth the size of a small cantaloupe protruded from the babies' skulls.

The operation began as planned at 7:15 a.m. By 9 p.m., the skin and skull had been divided. "We have lift-off," announced Carson as the last of the bone came apart. But the job was more difficult than anticipated. The shared sinus and its surrounding tissue were twisted and corkscrewed, complicating the separation. At 11, circulation was halted, and the critical hour began. By 11:20, the last connection was severed, and the tables were swung apart. "It was a very moving moment," Rogers recalls. "Everyone was silent and



After months of planning, part of Hopkins' 70-member surgical team sweats it out. Everyone was "silent and astounded" when the moment of division arrived.



astounded." Still, there was much to do before the clock ran out.

When the hearts were restarted with an electrical jolt and blood, warmed in the bypass machines, was recirculated, doctors faced another complication: massive bleeding in each infant's brain. Overall, the surgery consumed 60 pints of blood products, dozens of times the babies' normal volume. Worried about rapid swelling of the brain tissue, the team decided to wait for a later date to install titanium plates custom designed to help close the babies' skulls. In addition, there was not enough scalp to cover both infants' heads; Benjamin's was therefore temporarily closed with surgical mesh.

The team emerged from surgery to the sound of applause all along the hospital corridor. Rogers approached Theresa Binder. "Which child would you like to see first?" he asked. She was speechless.

Hopkins officials estimated that the cost of the operation and subsequent care would eventually total hundreds of thousands of dollars, but all members of the medical team are waiving their fees, and the hospital is absorbing most of the other costs. The twins' hospitalization could last several months. Among the risks they face: blood clots, brain hemorrhaging, seizures and sweeping infection that, according to Rogers, "could kill them in 24 hours." Preliminary tests have shown that both boys can move all four limbs independently and are sensitive to pain. That, doctors noted, was a good omen: it signaled that Patrick's and Benjamin's nervous systems had far seemed intact.

—By Claudia Wallis.

Reported by Christine Gorman/Baltimore

## Courage, Doc

*A sharp warning to health pros*

The AIDS crisis may be undermining the "ethical foundation of health care itself." So warned U.S. Surgeon General C. Everett Koop last week in Washington before President Reagan's commission on the HIV epidemic. Citing reports of doctors and other health-care workers

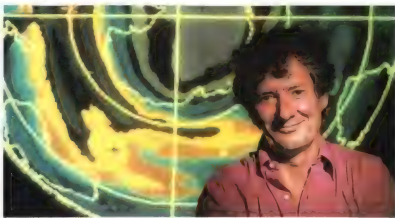
"who refuse to treat persons with AIDS," Koop delivered a stinging broadside against the medical profession. Said he: "The good conduct of the majority does not release us from facing the unprofessional conduct of a fearful and irrational minority."

While agreeing in principle, some doctors questioned Koop's fairness. Said Dr. Alan Nelson, chairman of the American Medical Association's board: "The incidences of refusal to treat AIDS patients are anecdotal and isolated." Both Koop and Nelson urge health-care workers to adopt preventive measures, such as wearing gloves, to avoid contamination. ■



Critic Koop

## Science



Atmospheric detective: Physicist Farmer with satellite image of Antarctic ozone hole

## Culprits of the Stratosphere

*New evidence that man-made chemicals are depleting the ozone*

Representatives from 35 countries met in Montreal last week to hammer out an agreement that would limit man-made damage to the atmosphere's protective ozone layer. As they deliberated, the British journal *Nature* published a study offering the strongest evidence so far that man-made compounds called chlorofluorocarbons (CFCs) are the culprits. Crofton Farmer, principal author of the study and an atmospheric physicist at the Jet Propulsion Laboratory in Pasadena, Calif., reported that data gathered last year in the Antarctic are "entirely consistent" with the premise that CFCs—used in refrigeration devices and as ingredients in plastic foams—are destroying the ozone. "The evidence isn't final," he told *TIME* last week, "but it's strong enough."

Farmer and others have concentrated their research on the so-called Antarctic ozone hole. Though world ozone levels have dropped by an estimated 3% to 7% in the past several decades, south polar levels plunge by as much as 50% each September, then rebound. The discovery of the hole was announced in 1985 by a team led by Joseph Farman, a scientist with the British Antarctic Survey. Since then, researchers have flocked south to study the phenomenon.

Their interest is hardly academic. The ozone-enriched air, which stretches from six to 30 miles up, protects life on earth from dangerous solar ultraviolet radiation (UV). Although ozone, whose molecules are made of three oxygen atoms, absorbs UV radiation, even the amount that now penetrates the ozone layer can cause skin cancers and has been linked to cataracts. With less ozone, these disorders will increase; with no ozone at all, the UV could be deadly. Scientists have long suspected that decomposing CFCs in the stratosphere release chlorine, which acts as a

catalyst, breaking ozone molecules apart. But it was all theory: Could the chemicals rise so high into the atmosphere? Might not the chlorine have come from such natural sources as volcanic eruptions?

Farmer discovered that chlorine compounds bloom as the hole appears each year. His theory: the compounds condense onto ice crystals during the polar winter; then, as spring nears in early September, the chlorine is warmed by the sun and converted into a reactive form that can destroy ozone. The presence of fluorine in the atmosphere supports the view that these chlorine compounds are of man-made origin. "There isn't any fluorine in the upper atmosphere from any natural source," says Farmer. This suggests that the source of the accompanying chlorine is chlorofluorocarbons.

Some experts remain cautious. Says William Brennan of the National Oceanic and Atmospheric Administration: "It would be dumb to make up my mind before the results from the field are all in." He should not have long to wait. Last month a DC-8 and a converted U-2 spy-plane began flights under and through the hole in the most intensive attempt to date to pin down a detailed model of the ozone depletion process. Preliminary results should be announced later this month.

The Montreal conference, sponsored by the United Nations Environment Program, was convened to approve a proposal to freeze CFC production worldwide, initially at 1986 levels, then progressively reduce it over ten years. According to Farman, the delegates would do well to approve the measure. Along with other scientists, he is worried that the problem, if it remains uncorrected for the next two decades, will be "possibly beyond redemption."

By Michael D. Lemonick.

Reported by Edwin M. Reingold/Los Angeles

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Papal scenes: a nun takes aim at the Pontiff; jubilant Miamians wave Cuban and Vatican flags as their visitor arrives at Tamiami Park to celebrate outdoor Mass; bishops huddle under umbrellas as a thunderstorm interrupts the service; an elderly welcomer. Below right: the Pope addresses a Miami airport throng



## Religion

# "I Come as a Pilgrim"

*Pope John Paul II visits the U.S.—to teach and to listen*

**F**irst, as always, came the pomp and the outpourings of adulation. A military band blared and a cheering throng waved yellow-and-white papal flags at Miami International Airport last week as Pope John Paul II emerged from a jumbo jet into the blazing Florida sun. Ronald Reagan and First Lady Nancy waited as the Pope, eight years after his last visit, stepped again onto U.S. soil to begin his long-awaited eleven-day, 17,000-mile pastoral journey. "I come as a pilgrim, a pilgrim in the cause of justice and peace and human solidarity,

striving to build up the one human family." But the Polish-born Pontiff had also come to listen, and to respond carefully to the divergent voices of the American religious melting pot—Catholic and non-Catholic alike—that were raised as he arrived.

Rarely if ever has the pilgrim Pope—this U.S. trip is his 36th major voyage since assuming the throne of St. Peter in 1978—been blanketed under so many layers of watchful security. The 1,500 people who traveled to Miami's airport to bid the Pope welcome ran a gauntlet of some 7,000 National Guard troops, state and local police and agents of the Secret Service, which budgeted \$5.5 million for the papal trip. Their roadblocks and security checks rendered the city's streets eerily empty. The intensity of the precautions cut into

the size if not the warmth of the welcome that greeted John Paul as his cavalcade traveled into Miami on the initial 23-hour leg of his stay.

The security shroud was virtually the only impediment to goodwill in the first stages of the trip. Even as he flew toward Miami, the Pope emphasized that he would show a conciliatory face to the complex, fractious and independent-minded American Catholic Church he was about to encounter. "I am convinced that the American church is a good church, a very good church," John Paul told journalists, in informal remarks aboard the papal jetliner *Spoletto*. He downplayed the importance of dissident voices that he was expected to hear on such sensitive issues in the U.S. church as marriage for priests, homosexuality and

\* Last week's itinerary covered Miami, Columbia, S.C., and New Orleans. This week's stops: San Antonio, Phoenix, Los Angeles, Monterey, Calif., San Francisco and Detroit, plus a visit to northern Canada.



the ordination of women. "I am accustomed to that," he said in answer to a question about protests. "It would not be normal not having that—especially in America." John Paul said he intended to speak to both dissenters and the "great silent majority that is faithful."

The Pope held out a special hand of reconciliation in advance to Catholic homosexuals, who had been outraged at comments made by Archbishop John Foley, the American who heads Vatican communications. Foley had described the scourge of AIDS as a "natural sanction for certain types of activities." Aboard *Spoleto*, John Paul said homosexuals "are in the heart of the church," along with "all people who suffer." In his first-ever remarks on AIDS, the Pope said, "The church is doing all that is possible to heal and especially to prevent the moral background" of the disease.

Once on the ground, the Pope struck a positive theme to start his journey. Standing at the airport with President Reagan, John Paul expressed "thanksgiving to God" for the 200-year-old U.S. Constitution and for the "blessings of liberty it has secured." Then he added a disciplined admonition: "Americans who have received so much in freedom and prosperity and human enrichment," have a corresponding duty to share these blessings with others throughout the world. The Pontiff elaborated on that message at

a later meeting with Reagan. "A new birth of freedom is repeatedly necessary," he said. "Freedom to exercise responsibility and generosity, freedom to meet the challenge of serving humanity."

At St. Martha's pastoral center, John Paul met with some 750 priests and heard an eloquent depiction of the concerns and difficulties that face American clerics who are struggling to cope with the challenge. Speaking on behalf of an estimated 53,000 U.S. priests was Father Frank McNulty, a pastor in Roseland, N.J., and a former vicar for priests in the Newark Archdiocese. McNulty was handpicked to speak by leaders of the U.S. hierarchy. McNulty told the Pontiff that church decrees often appear "harsh," and stated that priests must emphasize the mercy of God in dealing with the sins of parishioners. He gently reminded the Pope that America's clergy would like Rome to reopen consideration of two sensitive issues currently in dispute: priestly celibacy and the role of women in the church.

There is a "real and dramatic shortage of priests" in the U.S., McNulty declared, "critical enough to make us worry about the future. Morale suffers when we see so few young men follow in our footsteps. Morale suffers when we see parishes without priests and prayer services taking the place of Sunday Mass." Under those circumstances, he said, the value of priestly celibacy "continues to erode in the mind of many." Recognizing John Paul's "unequivocal" commitment to that priestly vow, however, McNulty asked only that the Pope "continue along paths of support and exploration." In the same vein, the New Jersey priest urged that the Holy See "continue to explore the range of service that women might appropriately offer the church... There is need for study, reflection and, above all, more dialogue with women."

Politely but firmly, John Paul rebutted McNulty's assertions on the role of mercy in considering how to deal with sin. The Pope declared that it is never "truly compassionate" to be tolerant in

ways that are "contrary to the demands of God's word," a mild statement that nonetheless backed up his own staunchly conservative policies. The Pope did not respond directly on the touchy issues of celibacy and women. Instead, he noted that "it is important that we find satisfaction in our ministry, and that we be clear about the nature of the satisfaction which we can expect." On the issue of doctrinal diversity, the Pope replied, "Those who preach must do so with dynamic fidelity. This means being ever faithful to what has been handed on in tradition and Scripture." After the formal exchange had ended, the Pope embraced McNulty. Later the Pontiff told the priest, "You found good words."

Only two men know exactly what words were exchanged at the Pontiff's next stop, the palatial Renaissance-style villa *Vizcaya*, former home of Industrialist James Deering. Security remained tight both inside and outside the residence. Before the talks, frogmen made an underwater search of fetid Biscayne Bay. John Paul and President Reagan met inside the dwelling without even a translator for nearly an hour, then strolled through the villa's formal gardens. Reagan later told waiting journalists that the two had shared views on the "progress of genuine peace in Central America," on arms control and on the issue of more assistance from rich to poor nations. Echoing his words to Jimmy Carter in 1979, the Pope declared, "The more powerful a nation is, the greater also must be its commitment to the betterment of the lot of those whose very humanity is constantly being threatened by want and need."

At the Dade County Cultural Center, John Paul held another sensitive meeting, this time with 196 American Jewish leaders. The Pope had seen several of the dignitaries the previous week in Rome, in a bid to calm the Jewish outrage that followed his June audience with Austrian President Kurt Waldheim. The Rome





## Religion

Pontifical diplomacy: greeting Bishop Philip Cousin of the National Council of Churches in an ecumenical encounter at the University of South Carolina; chatting privately with President Reagan at the Vizcaya mansion in Miami; listening to Rabbi Mordecai Waxman during a Miami meeting with American Jewish leaders



meeting failed to mollify two major organizations of U.S. Orthodox Jews, which boycotted last week's Miami session. But for those who attended, the meeting radiated conciliation.

John Paul referred to Jews as "fellow believers" and spoke of the Holocaust as a "ruthless and inhuman" effort to exterminate specifically European Jews. "Never again!" the Pontiff declared, repeating a common Jewish phrase referring to the Nazi era. He also endorsed Catholic-Jewish programs to educate youngsters about the Nazi atrocities. Said Rabbi James Rudin, interreligious affairs director of the American Jewish Committee: "The healing is under way."

There was a little less concord on some political issues. Rabbi Mordecai Waxman, speaking for the Jewish attendees, urged once again that "full and formal diplomatic relations be established soon between the Vatican and the state of Israel." John Paul replied that the "Jewish people... have a right to a homeland, as does any civil nation." But the same principle "also applies to the Palestinian people, so many of whom remain homeless and refugees."

The next day, as the Pope traveled to Miami's Tamiami Park to celebrate his first public Mass on the journey, thousands of well-wishers lined the highways, occasionally mobbing his Popemobile—a white Mercedes-Benz 230G equipped with protective wraparound glass. The weather, however, was less forthcoming. A violent thunderstorm caused abandonment of the service due to the threat of lightning. (A day earlier, in San Antonio, where the Pope was scheduled to celebrate a Mass on Sunday, winds toppled two twelve-story towers behind his outdoor altar.)

The Pope then flew on to Columbia, S.C., where he had a private meeting with former President Jimmy Carter and Wife Rosalynn. (The session was canceled after Carter learned that his brother Billy was diagnosed with inoperable pancreatic cancer, then rescheduled at the last minute.) In Columbia the Pontiff continued his outreach to America's non-Catholics as he conferred with a gathering of Protestant and Orthodox leaders.

The 26 delegates met with John Paul in an ornate sitting room at the home of James Holderman, president of the University of South Carolina. For more than an hour the leaders discussed what one observer called the "expansion of spiritual commitment and their common grounds of baptism, the Lord's Prayer, the divinity of Christ and common communion." Bishop Philip Cousin of the African Methodist Episcopal Church, and also president of the National Council of Churches, told John Paul that a "sense of religious strength" among Americans offered the possibility of unique advances in ecumenism. For his part, the Pope replied diplomatically that "we must greatly rejoice in discovering the extent to which

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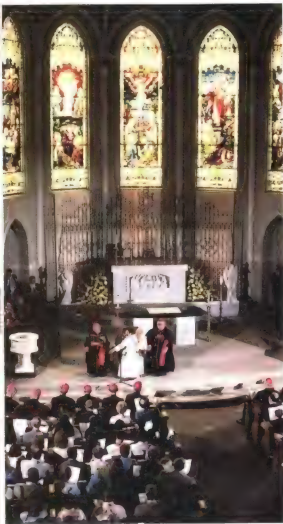
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## Religion



Beneath a colonial American flag, the Pontiff greets a throng at St. Louis Cathedral in the French Quarter of New Orleans; preparing to speak to South Carolina Catholics at St. Peter's Church in Columbia; arriving for celebration of a rain-drenched Mass in Miami



we are already united, while we respectfully and serenely acknowledge the factors that still divide us."

The church leaders later moved to the university stadium for an ecumenical prayer service attended by 60,000 worshippers. There John Paul delivered a fervent plea for Christians to join in protecting marriage and traditional morality. In America, he proclaimed, "the family is being shaken to its roots. The consequences for individuals and society in personal and collective instability and unhappiness are incalculable."

Then the Pope sped on to New Orleans, where he was greeted on arrival with—surprise!—a chorus of *When the Saints Go Marching In* by the Olympia Brass and Funeral Band. Despite that lively welcome, the crowds that viewed the Pontiff were smaller than expected. After paying tribute at St. Louis Cathedral to local priests and sisters for their "heroic dedication," he traveled to the famed Superdome. There, at a meeting

with black Catholics, Bishop Joseph Howze of Biloxi, Miss., told John Paul that "racism is a major hindrance to full development of black leadership within the church." John Paul responded that racial diversity shows that Christ's "liberating Gospel" belongs to all groups. He also paid tribute to the "providential role" that was played by Baptist Leader Martin Luther King Jr.

That session was followed by a rousing youth festival, where 50,000 onlookers brandished blue and green flash cards and roared as John Paul attempted to don a gaudy Mardi Gras mask. "I love it," gushed twelve-year-old Kim Harrigan of Port Sulphur, La. John Paul then traveled to an outdoor Mass, some 200,000 rain-drenched worshippers attended.

That evening the Pope met at Xavier University with leaders from the 215-member Association of Catholic Colleges and Universities. The association is lobbying to prevent a pending Vatican decree that would require doctrinal

orthodoxy of theologians who teach at Catholic campuses. John Paul did not refer to that dispute, but boldly insisted that theologians need to work in unity with the Pope and bishops. "The fruits of their work," said he, "must ultimately be tested and validated" by church officialdom.

The Pope was to spend his only Sunday in the U.S. in San Antonio, where he was expected to offer special recognition to the nation's burgeoning and overwhelmingly Roman Catholic Hispanic minority, now numbered at 18.8 million. His rhapsodic welcome was expected to continue, with exceptions: there was talk of significant protests by gays and feminists in San Francisco and Detroit. Whatever other distinctly American dissonance John Paul may face down the road, though, his conciliatory mission was off to a promising—and uplifting—start.

—By Richard N. Ostling, Reported by Sam Allis, with the Pope, and Cristina Garcia/Miami



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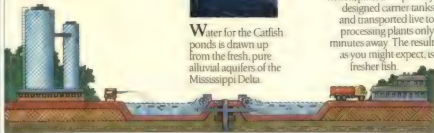
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## Sport



### The Strikers Are Back in the Huddle

Another National Football League season is in peril

**F**ive years since their last truncated season, the National Football League players have begun another countdown to a strike. They have resolved to walk out Sept. 22, after the schedule's second week, if management continues to ignore their latest call to freedom.

NO FREEDOM, NO FOOTBALL. T-shirts first appeared on muscle-bound picket lines in 1974, during the second of three N.F.L. work stoppages, which are coming to be routine events. The quarrel is generally over control, but the players always settle for cash.

In 1982, when the union's incontrovertible demand for "55% of the gross" was etched in Silly Putty, seven weekly paychecks were lost along with \$200 million in league revenues. For 57 days Havoc hovered over television networks while Despair settled into gambling parlors and living rooms. But the autumn leaves were beautiful.

Now the players, who earn \$230,000 on the average, are after a free-agency mechanism more meaningful than the strict compensation system in place since 1977. Over an entire decade of free enterprise, it has brought about the emancipation of a solitary St. Louis defensive back named Norm Thompson. No matter the player, pro football's unique partner-owners have been disinclined to fork over high draft choices for the rights to their brethren's superstar. It is probably fair to say that the owners have competed more strenuously against alien forces like the defunct United States Football League than against one another.

Amenable only to slight adjustment in the free-agent restrictions, management meanwhile proposes automatic rookie

and second-year salaries of \$60,000 and \$70,000 on top of uniform college draft bonuses ranging from \$500,000 for the first pick (\$400,000 for the second, \$350,000 for the third) down to \$5,000 for the last. The better to reward veterans, says the Management Council's long-standing director, Jack Donlan. The union is cynical. Says Wisconsin Senate-hopeful Ed Garvey, who broke former Raider Lineman Gene Upshaw into the job of labor leader: "In 1982 I honestly had the feeling there would never be another football strike. It was so painful for everyone. But the same voices are back. The expressions are fixed again."

Throughout the training season, a number of teams have been putting their discards on \$1,000 retainers, and last week all 28 owners asserted that in the event of a strike, they would press on with "whatever players are available to play." "I know we'll field a team if it comes to a strike," says Tex Schramm, president of the Dallas Cowboys. "I think we can put on quality football games." Doug Allen, assistant executive director of the players' union, understandably disagrees: "Without our players on the field, it will be a ragtag, shoddy product." TV would hardly pay full price (\$476 million) for renegades, and the affections of the fans are still frayed from the last unpleasantness.

In 1985 baseball solved a strike in two days, with Commissioner Peter Ueberroth shyly accepting most of the credit. To fuzzy suggestions that he somehow ought to ride to a similar rescue, Football Czar Pete Rozelle responds, "I don't think anyone can get in and wave a magic wand and have it settled." Sighing glumly, he adds, "I'm not a knight on a white horse." —By Tom Callahan



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## Design

# Japan Is On The Go

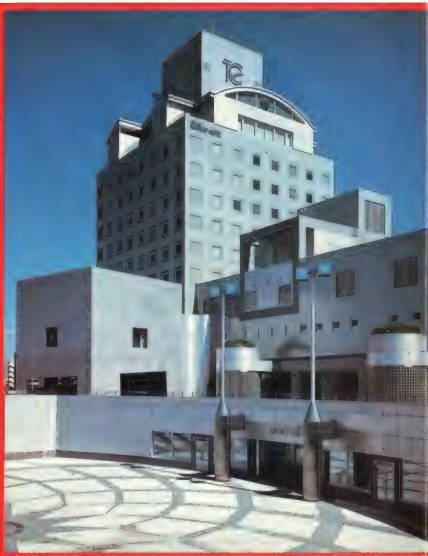
*Its new architecture and graphics lead the world*

Japanese style? Japan is all about aesthetic discipline and refinement. It is a tidy place where ordinary buildings are Zen compositions, where cities fit together as ingeniously as a GoBot, a place where restraint and respect for tradition (rock gardens, ikebana, interior space dominated in tatami mats) come naturally, where advertising aspires to art, where even the landscape seems well designed.

Japanese style? Japan is a wild hodgepodge of gimcracky downtowns and kitschy international design ideas mixed and mismatched, its capital a shrill, *Blade Runner* mess of traffic, shabby office buildings and meretricious Architectural Statements. Consumer products are bland or bizarre, and in graphics anything goes.

Both visions of modern Japanese design are correct. Where on the one hand there is Tokyo, on the other there is Kyoto, the perfect religious city. On street corners and in train stations are impeccably printed surreal posters that seem only incidentally to be advertising, but in the pages of magazines there is artsy typographical chaos. There are delightfully showboating aluminum office towers (such as Fumihiko Maki's Spiral building in Tokyo) as well as brand-new buildings made entirely of secondhand wood (Atsuo Hoshino's House of Used Lumber, on the outskirts of Tokyo). The familiar and the provocative, the traditional and the radical, the ascetic and the deluxe, the indigenous and the foreign—all coexist in contemporary Japanese design.

But the dichotomies are no mere zero-sum stalemate, sensibility vs. sensibility ad infinitum. There is meaning to this madness. Masterly, highly original work is being produced by designers of all kinds. Arata Isozaki's Museum of Contemporary Art in Los Angeles is one of the most fetching new buildings in the U.S. Tadao Ando's severe, uncompromising architecture won him Europe's prestigious Alvar Aalto Prize last year, as well as the respect of young architects all over the world. Maki, an architect who has lived and worked in





the U.S., thinks this is unquestionably the Japanese moment. Given the "exceedingly high level of our craftsmanship and technology" and the "current flowering of all manner of architectural ideas in Japan," Maki says, "Japan is the place to watch in architecture today."

Graphic and Stage Set Designer Eiko Ishioka, who has also worked in the U.S., is just as sanguine about the creative boom: "Japanese design is more flourishing and diverse than ever before." At no time in the roughly 130 years that Japan has traded with the West have its applied arts been so influential abroad. "I've lived with Asian influence all my life," says Eugene Kupper, an architect and UCLA professor, but "today Japan is in the forefront. It's the most exciting it has ever been." While tradition clearly informs some of the best new Japanese design, the current creative burst is not primarily backward looking. Indeed, Japanese design seems singularly, giddily unfettered. Not only are architects and art directors in their 40s and 50s free from the obligation to pay homage to traditional forms, they have also escaped for the first time in this century from the overwhelming gravitational pull of Western domination. They feel unusually free to borrow and transmute ideas and images from any source, foreign or domestic.

**T**he hard determining fact of all Japanese culture, including design, is the country's size and island insularity. Land in Tokyo goes for as much as \$846.7 million an acre. Thus an architect's treatment of space takes on a sort of moral dimension. Isozaki was condemned by some compatriots for the spaciousness of an art museum he designed in the early '70s. Now that he is busy with American commissions, Isozaki himself is a bit thrown by the comparative Yankee boundlessness. "In the U.S.," he says, "even where I had thought I might be taking up too much space, my clients did not consider me wasteful."

In 1960 Architect Kenzo Tange violated the native tenets of compactness with his grandiose plan for an improved metropolis that would extend out over Tokyo Bay. Today, at 74, he is still pushing it. But now Tange, the winner of this year's Pritzker Architecture Prize, is at the center of another bitter controversy, over his design for new Tokyo metropolitan government offices. With a main section 797 ft. tall and an estimated construction cost of \$780 million, this project would be the biggest, most expensive Japanese building ever—too big and too expensive, his critics say. Even more disconcerting to many of Tange's peers is the building's design: with its split tower, ersatz campaniles and creme brûlée surface of glass-and-granite panels, it would be a postmodern monu-

Counterclockwise from top left: Isozaki's mix-and-match of materials and forms in Taikoo; Yokoo amid his work; Tange with proposed city hall model; Sakashita of Sharp with a new radio; Ishioka with a pair of her posters





Kurumata, a sort of 21st century Zen hipster, in the dusky chic of Lucchino's, the Tokyo bar he designed

ment—Notre Dame redesigned by Gaudi and enlarged to monstrous proportions. "Tange's city hall is garish," says Architect Takefumi Aida, "so much so that it would end up looking like a symbol of Japan as a nouveau riche state. I can't stand it."

Aida is one of the few middle-aged stars of Japanese architecture who neither apprenticed nor studied under Tange. He taught at Tokyo University when Maki and Kisho Kurokawa were Tange's students there in the '50s; Kurokawa and Isozaki worked in Tange's office in the late '50s and early '60s. In fact, Tange and Isozaki, 56, are a good point-counterpoint embodiment of the generational change in Japanese design. Tange is a reserved pillar of society. Isozaki, whose good friends (like Fashion Designer Issey Miyake) jokingly call him Iso-san, is an impish glamour boy.

Tange, says Isozaki, "is of the generation all but dedicated to the job of translating Japanese tradition in terms of modern architecture, and introducing the result to the outside world." Tange's buildings of the '50s and '60s were in the then obligatory International Style but given bits of national flavor—Japanese-accented Esperanto, with upswipe roof edges and exposed concrete beams formed into abstract "timbers." Isozaki's buildings of the '70s and '80s are the converse: instead of Japanizing a universal architectural style, he takes inspiration and ideas from anywhere he chooses, his odd, exciting syntheses unbound either by traditional or by antitraditional dogma. "I consider myself not a Japanese first," Isozaki says, "but rather an internationalist."

Isozaki's postmodernism was not fueled, like that of many Western architects, by a hankering to reproduce a particular, seductive historical style. The forms and fragments in his work are not cute or ready-made. Instead, he is an anti-

rationalist, a form-follows-intuition designer whose deft play (tricks of perspective, false façades) tends toward the baroque but whose work comes off as anything but fussy. He is drawn to elemental geometries—cubes, cylinders—and natural materials, but he seldom leaves them basic or pure. He pulls together polished granite with curved glass with concrete, and makes columns short and fat, as in his 1971 Sogo Bank building; in a 1974 country club in Oita and a library in Kitakyushu, he makes barrel vaults snake and turn like architecture squeezed from a toothpaste tube.

Isozaki is busy. His latest work includes a proposed sports palace for the 1992 Summer Olympics in Barcelona and a full-scale replica in Tokyo of Shakespeare's Globe Theater. With the acclaim for MOCA has come more work in the U.S., including large new wings for the Brooklyn Museum.

Fumihiko Maki, 59, is not so eager to build abroad. "At construction sites in Japan," he says, "workers are always so willing to cooperate with architects that we can do something almost unthinkable in the U.S.—modify our designs in the process of building." Maki knows what he is talking about. He earned master's degrees in the '50s from Michigan's Cranbrook Academy of Arts and from Harvard, taught at Harvard and practiced in New York City with Skidmore Owings & Merrill. He returned to Tokyo in 1965.

The Fujisawa Municipal Gymnasium (1982) exemplifies the impeccable craft of his best work since then. Like much Japanese architecture of the past 25 years, it has a sci-fi quality: one section of the building resembles some enormous otherworldly blimp, the other calls to mind a high-tech samurai helmet. But unlike the slicker gimmicky UFO architecture (Kurokawa's earlier work, for instance), Maki's gym is restrained and sober, a mature

fantasy. The flawless, parabolic stainless-steel skin is 1.6 acres in size but just about one-sixtieth of an inch thick.

The work of Takefumi Aida, 50, is reminiscent of a particular kind of American postmodernism: the playful houses of California's Charles Moore, architecture as fun. Each of Aida's houses appears to be a sprawling stack of a child's multicolored building blocks in Brobdingnag—simple rectangles, cylinders, triangles and crescents.

The Aida houses may be facile, yet they do delight: toy building blocks are a cheerful transcultural artifact, and the mock-haphazard assemblages are lively, seemingly half built or half demolished. The Toys R Us aspect seems American, but the unfinished quality is pure Japanese. Says Aida: "Fundamentally I find myself swinging back and forth between two basic lines of influence—Japanese tradition and Western culture. I am attracted as much by Kandinsky, for instance, as I am by modern Japanese writers."

Tadao Ando, 45, is the most influential figure among Japan's baby-boomer architects. Combative, ascetic, a radical traditionalist, he is the perfect maverick: after wandering across the U.S. in the '60s, he aspired to a professional boxing career before becoming an architect. He is something of a Zen zealot. He hates "automated buildings with all manner of electronic convenience." He hates posh materials. "Concrete, far cheaper than marble, can achieve a far greater spiritual sense of wealth," he says. Indeed, most of his 90 buildings are constructed of concrete. Ando is thus maintaining a tradition: large-scale modern buildings in Japan were predominantly concrete until the '70s.

Ando's buildings are precise and almost ostentatiously austere. He is seeking purity and purification. His town houses in Tokyo and Osaka are jewel-box bunkers, the concrete façades rigorously designed compositions of door, windows, fabrication scars and joints. The Protestant chapel (1985) on the top of Mount Rokko, outside Kobe, was the perfect Ando commission. "The process of preparing ourselves for the spirituality of religion takes time," he says, and so the entrance to the chapel is a colonnaded tunnel. The chapel itself is a deep, 24-ft. by 24-ft. concrete box, with one side an expanse of glass overlooking the garden.

Outside of architecture, the issue of tradition is not so pressing. Indeed, designers of graphics and interiors are more unselfconsciously ahistorical, often out-Westernizing the West in seeking novelty for its own sake. "If we steeped ourselves in tradition, we would not be able to create anything," says Eiko Ishioka.

Because Japan's network of dealers is not nearly so large or aggressive as the mob of smart hucksters selling paintings in New York City and London, only a handful of painters manage to make a living from their art. Many turn to editorial and advertising work. They may be painters manqué, but talented art directors and designers are

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## Design

more indulged and permitted more expressive leeway in Japan than in most other countries. Much of their work, even for big corporations, is highly unorthodox. At train stations in Tokyo last year, commuters could not avoid a meditation on androgyny, in the form of huge prints of a man's face superimposed on a woman's; the only type was the company's name, almost unreadably small, at the bottom. "The Japanese regard advertising as a kind of cultural activity," explains Art Director Masuteru Aoba, 48. "With their budgets for advertising, Japanese companies are supporting something colorful and playful, just like American billionaires who patronize art."

Tadanori Yokoo, 51, is among the most well-known graphic designers in Japan—and a rebel. In the '60s he achieved popstardom for his paintings and for psychedelic posters promoting his fellow members of the avant-garde underground. Unable to survive on his painting alone, Yokoo turned to commercial assignments. "I loved to quarrel with corporate clients," he says with a smile. "And I refused to compromise. I wanted to express something very personal. So my design was called antidesign, and I was pushed out of the design establishment."

Then, in the '70s, "the avant-garde became part of the mainstream," as Yokoo puts it, and he got plenty of work again. His sexy, creepy 1980 poster for a fashion show is typical of his more recent, dreamier work: a naked, bleached-out man and woman stand face to face against a yellow field, their eyes and ears an odd, coppery red. In 1982, with his "sense of crisis missing," Yokoo doubled back, leaving full-time design work to become a painter once again.

Designer Ishioka takes no pleasure in being noted as the first woman to have achieved all she has achieved. Says she: "I hated it, and I still hate it." She is not only a woman in a man's world, she is an assertive feminist to boot. Her advertising posters and TV ads for a chain of clothing shops feature an undressed woman and the aggressively quixotic slogan: DON'T STARE AT THE NUDE, BE NAKED.

Ishioka's East-West ambivalence is palpable. Although she decamped to work in New York City in 1980 (and "did nothing," she says), Ishioka returned to Tokyo after two years; then her interest shifted to U.S. and European projects. There was the *Mishima* movie and a Miles Davis album cover, and now she is at work on sets for *M. Butterfly*, a Broadway play, and for a Philip Glass opera to be produced in New York. "In the '80s," she says, "I would like to cause a commotion outside Japan."

Makoto Saito, 35, aspires to an elegant and disconcerting sort of T.S. Eliot modernism. He wants his graphics, he says, to be "visually simple but technically complex." A 1985 poster for a company that makes Buddhist religious articles, for instance, features a high-resolution close-

up of a human bone, drenched in dark powder and standing all alone and upright against a white background. In small letters at the bottom is the Zen koan-like non-slogan: "I am an ancestor of the future."

If Japan is unusually hospitable to graphic artists, it is tough for designers of furniture and interiors. There is only a minuscule residential market for high design, since the homes of even most well-to-do Japanese are small. Instead, the work is almost all commercial—boutiques, department stores, cafés, bars. Take, for instance, Lucchino's, a bar in Tokyo's chic Nogizaka district. It is a medium-size space for Japan: the lighting is theatrically pink and orange, the fixtures neo-1920s. A significant detail: the middle tier of the long, three-tier art deco glass bar is cracked deliberately. One might as well be in Milan. Lucchino's is the work of Shiro Kuramata, 52, a furniture and interior designer with a considerable reputation in Europe as well as Japan. His boutiques around the world for Issey Miyake are black chain-link nests. The feel Kuramata seems to be after is a kind of monastery for 21st century hipsters, a futuristic Zen pad.

Design of consumer products, on the other hand, tends toward the conventional—as it does in the U.S. In neither country are there industrial-design stars in the European manner, and the transpacific parallel is probably not coincidental. Says Hiroshi Kashiwagi, a professor of art at Tokyo University of Art and Design: "In the wake of World War II, we learned American culture through the designs of goods at PX's—by way of lamps, shoes, clothing—not through the English language." And often they learned the banal dialect of mass-market American design.

The tendency has been exacerbated by the Japanese mania for mass production and marketing. The Japanese economic miracle has been all about mass production, which means that design flourishes are frills that might not be appreciated on the disparate world market the country's industry hopes to command. "The lack of identity is our problem," says Kiyoshi Sakashita, design director for the Sharp Corp. "Mercedes-Benz or

BMW, for example, emits an aroma of Germany, but Japanese products have neither nationality nor brand identity."

Thus far it has been the engineers, not the designers, who have produced the remarkable consumer product successes of the past decade—VCRs, automobiles, the dirt-cheap calculator, the Walkman, the compact video camera. Given the high-strung national determination to triumph economically and the percolating creative ferment, it seems certain that Japanese industrial design will win the Most Improved award in the 1990s.

The successes elsewhere are remarkable enough. "Never," says Interior Designer Takashi Sugimoto, "have we felt as self-confident as we do today." Architect Maki goes further. Japanese design right now, he says, "has reached a phase of development unique in the annals of our civilization." Nowhere is the international give-and-take more equal, nowhere is it producing more sublime buildings, more ambitious graphics, more exciting, edgy design. Architect Isozaki likes to say he is mentally equidistant from Kyoto's Katsura Detached Palace and the Parthenon. All the best Japanese designers, like Isozaki, delight in staying on that edge.

—By Kurt Andersen,  
Reported by S. Chang and Yukinori Ishikawa/Tokyo



American-influenced, Toys R Us architecture: Aida outside one of his postmodern building-block houses

# Cinema

## Errol Flynn Meets Gunga Din

THE PRINCESS BRIDE Directed by Rob Reiner; Screenplay by William Goldman

Once upon a time.... that fairytale phrase glistened with wonder luster. Children's imaginations were sparked by fantasy literature that placed all adventure—fencing, fighting, torture, revenge, giants, monsters, chases, escapes, true love, miracles—in the past tense. “Thrilling days of yesterday!” “A long time ago in a galaxy....” Locating these tales in the world’s own childhood taught children their roles in the continuing drama of the human family. It also carried a cautionary moral: things were better then, more exciting and romantic, than they could ever be now. Youth is a prince who dreams that anything is possible, and maturity is a peasant with the wisdom to acknowledge that all’s not nothing is. Only at the pristine beginning of our lives can we believe in happy endings.

Today’s jaded youth hardly needs to be taught this lesson: sword-and-sorcery movies usually go belly up at the box office. So the trick for any modern would-be Grimm is to blend the warring moods of fantasy and cynicism. The story must create a land of outsize heroes and villains yet comment ironically on the unhappy state of a land that needs them. The tone must be grandly facetious to accommodate believers as well as skeptics. William Goldman tried all this in his 1973 novel *The Princess Bride*. His narrative had all the proper ingredients and all the right



Wright and Elwes: fighting, revenge, escapes, true love, miracles

new moves: he deconstructed his text and undercut it with the cadences of a Borscht Belt raconteur. But on the page, Goldman’s wordplay seemed too much of a joke. It needed the expanse of cinema—where on the late show Errol Flynn and *Gunga Din* are still storybook young—to revive the poetry of fable. Now, 14 years later, he and Rob Reiner have got it smashing right.

Gather round, kids of all ages, as swashbuckling Westley (played by Cary Elwes, who looks like a young Douglas Fairbanks Jr.) sets out to rescue the impossibly beautiful Buttercup (Robin Wright)

from a monarchy full of dastards. To do this, he will outduel the expert swordsman Inigo Montoya (Mandy Patinkin), outwit the scheming Sicilian Vizzini (Wallace Shawn) and outwrestle a rodent of unusual size. Buttercup will survive an attack by a swarm of shrieking eels and an attempt on her honor by wicked Prince Humperdinck (Chris Sarandon), whom Westley will climactically engage in a fight “to the pain.” There will be a duel of styles too: of romantic grandeur against the balloon-pricking impishness of a cast culled from *Saturday Night Live* (Billy Crystal, Christopher Guest), *Beyond the Fringe* (Peter Cook) and *Not the Nine o’Clock News* (Mel Smith). The air will billow with bombastic insults (“You hippopotamical land mass!”) and a record-breaking number of comic speech impediments.

But Reiner will rein in the facetiousness: it will heighten the adventure, not bury it. His last film, *Stand By Me*, was suffused with such yuppie winsomeness that today’s generation of teenage boys could use it as their fathers had used copies of *The Prophet*: to impress girls with their sensitivity. Here, liberated by parody, he reminds visual clichés, like the gloriously fake matte paintings of fairytale realms, and they are funny-ly. As for the Princess Bride, she is flat-out lovely. Wright’s grave blond beauty makes her the wedding-cake figure around which all the movie’s clowns cavort. As you watch this enchanting fantasy, feel free to be thrilled or to giggle, as you wish. This time, Happily Ever After lasts 98 minutes.

—By Richard Corliss

## Milestones

**EXPECTING.** Pam Dawber, 36, sprightly star of the TV hits *My Sister Sam* and *Mork & Mindy*, and her husband of 5½ months Mark Harmon, 36, erstwhile *St. Elsewhere* idol: their first child, in April.

**BORN.** To Allyce Beasley, 36, TV actress (the rhyming receptionist Ms. DiPesto on ABC’s *Moonlighting*), and her husband Vincent Schiavelli, 38, film actor (*Fast Times at Ridgemont High*): their first child, a son, in Los Angeles. Name: Andrea Joseph. Weight: 8 lbs. 2 oz.

**CHARGED.** Matthew Broderick, 25, genial, well-scrubbed actor (*WarGames*, *Ferris Bueller’s Day Off*): with one count of reckless driving, in consequence of an accident last month that killed two women; in Belfast. If convicted at his February trial, Broderick will face an unlimited fine or up to five years in jail, or both.

**CONVICTED.** Robert Stufflebeam, 25, U.S. Marine sergeant and former Moscow embassy guard: on two counts of dereliction of duty for having had drinks in off-limits Moscow bars; by a Marine jury in Quantico, Va. Stufflebeam was cleared on seven other, more serious counts, including charges that he had had sex with Soviet prostitutes. His sentence for the misdemeanor convictions: a demotion in rank.

**HOSPITALIZED.** Billy Carter, 50, good-ole-boy younger brother of ex-President Jimmy Carter: for unsuccessful surgery to remove a malignancy from his pancreas; in Atlanta.

**HOSPITALIZED.** Billy Graham, 68, dean of American televangelism: for a fractured rib suffered in a fall in his Tokyo hotel room; at the Mayo Clinic in Rochester, Minn. Graham was on a stopover before

making his first visit to China when the mishap occurred.

**DIED.** Peter Tosh, 42, Jamaican reggae singer-songwriter: shot during an armed robbery at his Kingston, Jamaica, home.

**DIED.** Lorne Greene, 72, mellow-baritone actor best known for his role as Ben Cartwright, the stern but loving patriarch of the Ponderosa, in NBC’s phenomenally popular TV series *Bonanza*: of a heart attack following surgery for a perforated ulcer; in Santa Monica, Calif. Ottawa-born Greene began his career in the 1930s as a radio newscaster, then turned to the stage and films (*The Silver Chalice*, *Peyton Place*). In 1959 he found the role as Pa Cartwright, which made him a multimillionaire before the show expired, 440 episodes later, in 1973. Greene went on to other TV epics (*Battlestar Galactica*, *Code Red*) but remained a familiar figure as pitchman for Alpo dog food.



## Books

### Something Terrible Happened

BELOVED by Toni Morrison; Knopf; 275 pages; \$18.95

Writing a novel about slavery in the U.S. would seem to be a fail-safe endeavor. The audience for such a book is already converted: the evil of owning men, women and children as chattel is shamefully obvious to everyone, and the heroes and villains are easy to tell apart. But it is precisely the contemporary consensus on human bondage that makes serious fiction on this subject so rare and so difficult to achieve. Imaginative literature at its best does not reinforce received opinions but disturbs them, puts them to the test of experience relived. And what is obvious to readers now—that slavery was a moral abomination—did not appear as unchallenged truth to everyone embroiled in its practice then. Those who possessed and those who were possessed struggled, like most people at all times, everywhere, to get through their days; neither history nor the exigencies of survival allowed them much time for meditation or outrage. To portray the texture of such lives, a novelist must be willing to forgo reflective indignation and let the characters and details speak for themselves.

To a remarkable extent, *Beloved* does just that. Toni Morrison, the author of four previous novels including the acclaimed *Song of Solomon* (1977), certainly displays slavery in all its cruelty and loathsomeness, but she does so from an intriguing, unsettling perspective. Her heroine is Sethe, who has run away from her Kentucky master and settled with her mother-in-law on the outskirts of Cincinnati. The details of Sethe's break for freedom are appropriately heroic. Pregnant with her fourth child and apparently abandoned at the last moment by her husband and fellow slave Halle, she nonetheless manages to send her three children ahead of her in a wagon bound for Ohio and then arrives there herself in 1855, after giving birth to her daughter Denver on the way.

When Paul D, another slave from the Sweet Home farm in Kentucky, fetches up at Sethe's address 18 years later, he finds evidence of defeat rather than triumph. Sethe's two oldest children, both boys, have run away. The youngest, the girl Denver, seems hostile and reclusive. The third child, also a girl, is long since dead, but her spirit disruptively haunts Sethe's house.

Evidently something terrible

has happened here, and much of *Beloved* is devoted to a painstaking unraveling of this mystery. Sethe is an unwilling participant in the process, since she has everything to forget and believes that "the future was a matter of keeping the past at bay." She cannot quite manage this, since she is afflicted with "a brain greedy for news nobody could live with in a world happy to provide it." The arrival of Paul D brings reminders of the life she fled, but it also seems to promise happier times

ahead; he frightens the noisy, disembodied specter off the premises and moves in. But soon Sethe must take in another, more upsetting guest, a young woman who materializes one afternoon in the yard and who calls herself Beloved. It is the name Sethe gave years ago to the daughter whom she murdered with a handsaw.

As it shuttles back and forth in time, Morrison's narrative slowly unfolds the rationale behind Sethe's violent act. What seems incomprehensible gradually takes on an awful inevitability. Having risked everything to escape servitude and degradation and having tasted nearly a month of freedom, Sethe saw four men on horseback approaching to reclaim her and her children: "And if she thought anything, it

was No. No. Nono. Nonono. Simple. She just flew. Collected every bit of life she had made, all the parts of her that were precious and fine and beautiful, and carried, pushed, dragged them through the veil, out, away, over there where no one could hurt them." If she had had her way at that mad moment, Sethe would have killed all her children and then herself.

Morrison's supple prose makes such desperation palpable. *Beloved* is full of vivid images, freshly rendered. Here is the runaway slave facing the Ohio River, which stands between her and liberation: "Sethe was looking at one mile of dark water, which would have to be split with one oar in a useless boat against a current dedicated to the Mississippi hundreds of miles away." Here are Sethe, Denver and Beloved enjoying a rare moment of pleasurable abandon on a frozen lake: "Their skirts flew like wings and their skin turned pewter in the cold and dying light."

The flesh-and-blood presence of Beloved roils the novel's intense, realistic surface. This young woman may not actually be Sethe's reincarnated daughter, but no other explanation of her identity is provided. Her symbolic significance is confusing; she seems to represent both Sethe's guilt and redemption. And Morrison's attempt to make this strange figure come to life strains unsuccessfully toward the rhapsodic: "I will never leave you again/ Don't ever leave me again/ You will never leave me again."

In the end, the implausibilities in *Beloved* may matter less than the fact that Sethe believes them. Uneducated, her heritage and culture reduced to a few shreds of memory, she sees no distinction between the supernatural and the equally surreal facts of her own life. Morrison's heroine is hard to understand, and to forget.

—By Paul Gray

#### Excerpt

"You could stay the night, Paul D."

"You don't sound too steady in the offer."

Sethe glanced beyond his shoulder toward the closed door. "Oh it's truly meant. I just hope you'll pardon my house. Come on in..."

Paul D tied his shoes together, hung them over his shoulder and followed her through the door straight into a pool of red and undulating light that locked him where he stood.

"You got company?" he whispered, frowning.

"Off and on," said Sethe.

"Good God." He backed out the door onto the porch. "What kind of evil you got in here?"



## Books

### Up Tunes

GERSHWIN

by Edward Jablonski

Doubleday; 436 pages; \$21.95

What if George Gershwin had lived longer? He saw his first hit song, *Swanee*, sell more than a million copies, wrote for Broadway and symphony orchestras and performed *Rhapsody in Blue* to the applause of Rachmaninoff and Stokowski, all before his 30th birthday. He was planning further classical compositions when he died of a brain tumor at the age of 38 in 1937. Would Gershwin's later music have made its way into the standard American repertoire along with the works of Aaron Copland and Samuel Barber? Or would he have been considered an over-reacher whose notes never quite shook off the reverberations of Tin Pan Alley?



Gershwin

In this amiable study of a man and his epoch, Musicologist Edward Jablonski shows why the queries persist on the 50th anniversary of Gershwin's death. George's father, Leatherworker Morris Gershowitz, thought Ira, the oldest of his four children, was the most talented—until George,

nearly two years younger, appropriated the keyboard with an amalgam of brashness and genius. The boy abandoned school at 15 and quickly rose from Manhattan streets to the clamorous offices of song publishers. Sometimes his talent outstripped his ambition. When he auditioned for a job with Irving Berlin, the composer turned him down with some free advice: "Stick to writing your own songs, kid."

The kid took it to heart. Gershwin's music reflected an emotional ebullience, but he rarely gave all of himself in private life. He was exceptionally close to his brother; they shared a house even after Ira's marriage. But George remained a bachelor whose most valued female friend was the married composer Kay Swift.

Gershwin tended to be facile in his attitude toward classical music: "I'd like to write a quartet some day," he mused. "But it will be something simple, like Mozart." Even today, when the rich harmonies of *A Foggy Day* and *The Man I Love* have become pop classics and jazz standards, the High Gershwin of *Jazz and Bess* and *Concerto in F* finds detractors. They began sounding sour notes as early as 1925, when the *New York Times* critic found the concerto's "instrumentation... neither flesh, fowl nor good red herring." Composer Virgil Thomson wrote, "Gershwin does not even know what an opera is."

The target paid little attention to these professional attacks. Jablonski is particularly illuminating when he shows Gershwin distancing himself from his oeuvre, finding new ways of playing his tunes at parties as if they had been written by someone else. After a rehearsal he exclaimed, "I think the music is so marvelous—I really don't believe I wrote it!" Gershwin's appetite for popularity, says his biographer, took him even further from the critics: he could never quite forsake the Hollywood sound stage for Carnegie Hall. When a producer accused him of aiming too high, Gershwin sent a reassuring message: "Rumors about highbrow music ridiculous... am out to write hits."

On that score he seldom failed. With Ira as lyricist, Gershwin composed the up tunes that seemed the antidote to depression, financial or psychological. Composer Alec Wilder remarked, "Since Gershwin was rarely given to sad songs, what could have been a more welcome palliative for the natural gloom of the times than the insistently cheery sound of his music?" The sound never fades. This year there have been TV specials, new recordings and productions like the Glyndebourne Opera Festival's sellout *Porgy*. Next season a musical will be fashioned from the old melodies, with a new book by Neil Simon.

Jablonski bolsters the romantic tale of the young composer brilliantly burning out before his time. But in this case the story is true, and the question of what Gershwin might have accomplished remains. As Kay Swift conjectures, "We'll never know, will we? But it would have been important."

—By Stefan Kanfer

### Heartbeats

THE CHILD IN TIME

by Ian McEwan

Houghton Mifflin; 263 pages; \$16.95

In McEwan's unerring prose and godly powers of awareness have made him one of the best of Britain's youngish novelists, a distinguished group that includes Martin Amis, A.N. Wilson and Julian Barnes. But the 39-year-old author of *In Between the Sheets*, *The Cement Garden* and *First Love*, *Last Rites* offers something extra, what might be called the McEwan effect. It is the giddy sense that given sufficient time and megabytes, an experience could be parsed into an infinite number of verbal and emotional moments.

The trick is to suggest this possibility with precision and economy. *The Child in Time* does so brilliantly, from the moment Stephen Lewis realizes his three-year-old daughter is missing from a supermarket check-out: "The lost child was everyone's property. But Stephen was alone. He looked through and beyond the kindly faces pressing in. They were irrelevant. Their voices did not reach him, they were impediments to his field of vision. They were blocking his view of Kate. He had to

swim through them, push them aside to get to her. He had no air, he could not think. He heard himself pronounce the word *stolen*, and the word was taken up and spread to the peripheries, to passersby who were drawn to the commotion."

Years after Kate Lewis is kidnapped, Stephen, a successful children's book writer, recalls the instant and thinks he was vaguely aware of a figure in a dark coat, "the weakest suspicion brought to life by a desperate memory."

The ache of Kate's loss is sustained throughout the book. She never returns.

Eventually Lewis and his wife Julie bear their grief in different directions: she to a country cottage to live in solitude and play her violin, he no farther than the couch to numb himself with television and Scotch. He stirs periodically to walk to Whitehall, where he is a desultory member of a government subcommittee on, of all things, child development.

McEwan bridges the chasm between private anguish and public policy with a death-defying story, inventive, eventful and affirmative without being sentimental. Entwined with the Lewises' tragedy is the tale of Stephen's friend Charles Darke, a former editor and, as a junior minister, author of a hard-nosed government manual, *The Authorized Child-Care Handbook* ("Make it clear to him that the clock cannot be argued with"). His sad fate is that his political ambitions conflict with a longing to chuck it all and live in rural, childlike innocence. Longing wins, and Darke moves to a Suffolk woods where he dons short pants, carries a slingshot and spends his days in a tree house atop a 160-foot beech. He is quite mad. His physicist wife explains the split between his secret existence and his official report: "It was his fantasy life that drew him to the work, and it was his desire to please the boss that made him write it the way he did."

That Darke's boss is an unnamed and perhaps female Prime Minister of Britain is not cause for broad winks. Many of the plot turns in the novel may seem improbable and even fanciful, but the feelings expressed by the characters and their sense of time (running up, running down and running out) are, without exception, genuine. There is nothing titillating or vulgar about the PM's confession of missing Charles Darke because of loving him. And McEwan's humor is never simply topical. "I can't go anywhere alone," says the government leader of the impossible romance. "Bodyguards apart, I have to take the nuclear hotline, and that means at least three engineers. And an extra driver. And someone from Joint Staff." "Disarm," Stephen urges, "for the sake of the heart." One should not be ashamed to read this astonishing book for the same reason.

—By R.Z. Sheppard



McEwan

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## Art

### Corn-Pone Cubism, Red-Neck Deco

Red Grooms' cartoony "ruckuses" are easy to like—too easy

The dioramas, stick-outs and wrap-around environments of Red Grooms have been jiggling and creaking their way to glory on the fourth floor of Manhattan's Whitney Museum through the summer, and there are still queues round the block. Few American artists are more genuinely popular than this 50-year-old from the suburbs of Nashville. Look at Rembrandt and Saskia in their parlor, life-size and shining with booze! Hop into a New York City subway car left over from the pre-graffiti '60s, full of drunks, hippies, nervous housewives and one ultra-Orthodox Jew, all looking like Cabbage Patch dolls that grew up and went to seed! Walk through the big arch into the *City of Chicago*: Go down Wall Street and ride the Staten Island Ferry, with its twin funnels emitting scarves of metal smoke! Visit the Texas rodeo, a whole roomful of giant Celotex steers, horses and cowboys, painted in colors that relentlessly approximate the noise of a barbaric yawp!

Each museum visitor gets an emergency pack of 20 exclamation points at the door, just to keep his or her spirits up. No wonder the place is as full as a dry-county barbecue on Saturday night. If you want to really pig out on cultural gorging and glut without risking any hangover of thought, then Red Grooms, good ole boy *extraordinaire*, will fix you up.

What do you do if you like this stuff less than most people? The usual view is that only an inhibited, snobbish sourpuss could fail to take delight in a Grooms show. And what, the Grooms fan will say, do you have against humor? The fan has a point, in a way, since Grooms' popularity comes at least in part from the truly awful seriousness of the high-culture industry, its inability to see how weird its own solipsism and sanctimony can look. The mock-religious cloud that formed around abstract expressionism when it was becoming America's first imperial style, coupled with the grip of the academies since, all but wrecked the middle ground between the sublime and the trivial. How many American artists, except for a few loners like Saul Steinberg and Ed Keinholtz, are both really good and really, mordantly funny? By and large, America dislikes satire: it wants its humor cute and warm. Hence Grooms' success.

Judith E. Stein, curator of the Grooms show that started its national tour two years ago

at the Pennsylvania Academy of the Fine Arts, sets him up as a real satirist. With a "keen political sense," she claims in her catalog introduction, "Grooms follows in the tradition of William Hogarth and Honoré Daumier, who were canny commentators on the human condition." Alas, the history of American art criticism suggests that you need only sketch a bum to get popped into the pot with Daumier, or a street crowd to be compared with Hogarth. The truth in this case is the reverse: as a satirist, as distinct from a funnyman, Grooms hardly exists. His hearty sweetness drives out *saeva indignatio*.

As for his political bite, as recorded in a piece from the late '60s (*Patriot's Parade*, Lyndon Johnson with a skull inside

his hat and a flower-bearing demonstrator under his enormous cowboy boot), it is cliché and does not rank with Robert Crumb or Ralph Steadman, let alone Daumier. Twenty years later, even these small fangs are gone. His work gums its subjects, rolls on its back and waggles its paws in its demotic eagerness to be liked. If this is the Whitney's notion of satire, no wonder it shelved its plans for a Keinholtz installation last year.

Of Grooms' exuberance there is no doubt. Not for nothing does he favor the rowdy epithet ruckus in collectively naming his pieces: *Ruckus Manhattan*, *Ruckus Rodeo*. His tableaux fairly burst with riotous energy. In them, Jean Dubuffet's idea of making an art raw enough to stand up to the chaos of the street comes home to roost. Every Grooms surface pululates with caricatural figures, each impacted with manic cartoony verve, rendered as layered plywood cutouts, as silhouettes, as stuffed dolls, as shadows. The detail is never hard to read, and one does not get lost in it, because Grooms sticks to the things everyone has heard of—the cow that started the Chicago fire, Little Egypt gyrating, Cyrus McCormick looming dourly over his agricultural-machine factory, or (in a crypt below the graveyard of New York's Trinity Church) the skeletons of Alexander Hamilton in his wig and Robert Fulton with his steam engine. Ruckus America is all one big pop-up book, done in an impressively resourceful, comping parade of stylistic parodies: corn-pone cubism, red-neck deco. The way buildings splay and their ground casts toward the viewer comes straight out of German expressionist cinema.

Grooms is best when some menace is allowed to peep through the bonhomie, just as he is worst when he is most folksy. The Woolworth Building, leaning forward as though to resist some invisible gale, with old Frank Woolworth huddled like a crazed alchemist in its tower and a dragon made of dollar bills (the Spirit of Capitalism—geddit?) waving its creaking neck from the roof, is quite a creation. But either way, one has the sense of an exaggerated rube's-eye view willfully prolonged. It reminds one that however "elitist" economy and wit may seem, vulgarity soon palls. Grooms' work is not folk sculpture—it is too self-regarding for that—but it enacts the illusion of folksiness. One suspects he might not know what to do if he stopped this beaming and lapel grabbing. "It's almost subversive," Grooms remarks in the catalog, "if I do something that isn't jokey." To him, perhaps.

—By Robert Hughes



Riotous energy: part of Grooms' Manhattan tableau at the Whitney



## People



Mama Caroline and Pierre

She had planned to attend a formal dinner given by the mayor of Monaco, but at the last minute **Princess Caroline** backed out. Shortly after midnight she was rushed to the Princess Grace Polyclinic, where a scant hour later she gave birth to a 7-lb. 5-oz. baby boy. Named **Pierre**, after his maternal great-grandfather the **Prince de Polignac**, he is her third child with Husband **Stefano Casiraghi**. An hour after delivery, Caroline was chipper enough to greet Pierre's grandparents Italian Industrialist **Giancarlo Casiraghi** and his wife. Later Prince Rainier's sister **Princess Antoinette** dropped in for a 4 a.m. champagne toast. Brother **André**, 3, is already fond of his new sibling. Told by his father that Pierre did not cry at all, he exclaimed, "Good, then I can play with him!"

The times they are a-changin' for **Bob Dylan** in Israel. Once revered locally as a folk hero of the '60s, the poet-prophet of rock managed to antagonize the faithful and make a few new enemies by the time he ended his first tour of the country last week. His sins included avoiding fans, canceling meetings with Foreign Minister **Shimon Peres** and standing up **Jerusalem's** mayor, **Teddy Kollek**. Israelis were surprised **Dylan**, born **Robert Zimmerman** to Jewish parents, has been

studying with Hasidic scholars, and four years ago journeyed to Jerusalem for his son **Jesse's** bar mitzvah. But he has been pouting his way through his current ten-country tour. During an encore at his Jerusalem show, problems with the sound system brought the music to a sudden halt, and **Dylan** quit the stage without a word. "I don't do these kinds of things anyway, meeting dignitaries and stuff," says **Dylan**, denying that he had agreed to any social calls. For those looking for a better explanation, the answer is blowin' in the wind.

Big Band Leader **Woody Herman** has had plenty of reasons to sing the blues lately. Last March, **Herman**, 74, was forced to stop touring with his band, the Young Thundering Herd, after he was hospitalized for lung disease and congestive heart failure. Then came word that he was being evicted from the three-bedroom house in Hollywood where he has lived for 41 years. But things are finally starting to brighten for the swinging clarinetist. Under terms approved by a Los Angeles Superior Court judge last week, **Herman** and his

daughter **Ingrid Herman Reese** will be allowed to stay in their house until 1989, provided that they settle back payments and current rent totaling \$5,700. Meanwhile, news of **Herman's** plight has brought offers of help from such fellow enter-

would have done." May the leader of the herd always thunder on.

In his '50s manifesto *Howl*, Beat Poet **Allen Ginsberg** wrote, "I saw the best minds of my



Upbeat coda: Herman tuning up at his home last year

tainers as **Frank Sinatra**, **Peggy Lee**, **Rosemary Clooney** and **Tony Bennett**. And this week Michigan Congressman **John Conyers** plans to introduce a bill relieving **Herman** of a \$1.6 million tax debt. Said **Reese**: "If we hadn't been able to turn to his friends and fans, I don't know what we

generation destroyed by madness." True, booze and acid cut down hallucinatory prophets like **Jack Kerouac**, but there were still a few productive survivors, who gathered in Lawrence, Kans., last week to help **Ginsberg**, 61, honor his old buddy. Novelist **William Burroughs** (*Naked Lunch*),

73. Among the celebrators who joined the week-long program of readings, book signings and film screenings: California Guru **Timothy Leary**, Singer **Marianne Faithfull**, **Edie Kerouac-Parker**, **Kerouac's** former wife, and Poets **Robert Creeley** and **Michael McClure**. But the old beat is a bit muffled. **Ginsberg** has just been named a distinguished professor at Brooklyn College; both he and **Burroughs** are members of the American Institute of Arts and Letters. For **Ginsberg**, whose style is a blend of popular speech and jazz rhythms, the Beat vision remains as dynamic as ever. "What we found," he says, "was no longer artificial speech but an American tongue." And, of course, the courage to use it.

—By Gay D. Garcia

Beat revival: Creeley, left, Kerouac-Parker, right, Burroughs and Ginsberg, seated





## Show Business

### "One Star in a Huge Black Sky"

Mandela dramatizes a couple's struggle against apartheid

**S**outh Africa, 1958. Red dust, low green hills. A bride and groom make their way through a crowd of swaying villagers who clap and chant a ritual wedding song. Tribesmen draped in striped blankets beat the rhythm on painted drums. After the marriage feast, the couple walk in the countryside. She gathers the train of her bridal dress with one hand; the other is intertwined in his. "If only we didn't have to go back," he says. She looks up, all fresh anticipation. "I wonder what our life will be like?" she asks. Then: "I know one thing. Life with you is life without you."

These stark words foreshadow the next 29 years in the life of Nelson Mandela, the spiritual leader of South Africa's black majority, who is now serving a life sentence for sabotage and plotting revolution. Starring Danny Glover as Nelson and Alfie Woodard as his wife Winnie, *Mandela*, an HBO movie premiering Sept. 20 at 8 p.m. EDT, traces the couple's unfinished struggle against institutionalized racism in South Africa. It is also the melancholy love story of Winnie, now 50, and Nelson, 69, who wed during a break in his trial for treason and honeymooned while he was in the dock. Because of his political activities and 25-year-long imprisonment, the pair have spent only a few months of their married life together.

*Mandela* is Hollywood's first major effort to present South Africa's racial troubles to an American mass audience. The movie is already under attack. Even before he saw it, the Rev. Jerry Falwell referred to it as "Communist propaganda" and threatened a Moral Majority boycott of HBO during September. Claiming that *Mandela* is "pro-terrorist," Citizens for Reagan, a lobbying group, has said it will call on its 100,000 members to cancel their HBO subscriptions. In response, HBO Chairman Michael Fuchs declared that viewers should make up their own minds about the movie.

The struggle against apartheid is a story whose time has come for the film industry. Camille Cosby, wife of Comedian Bill Cosby, owns the rights to Winnie Mandela's autobiography and plans to produce a TV movie about her. The Mandelas figure prominently in an ABC-TV historical mini-series, still in the works, which has excited the interest of Sidney Poitier, Harry Belafonte and Jane Fonda.



Woodard as Winnie protesting Nelson's life sentence

"I know one thing. Life with you is life without you."

Three theatrical movies probing racial conflict in South Africa are on the way. The first and most prestigious of the three is *Cry Freedom*, directed by Sir Richard Attenborough (*Gandhi*). Due in early November, it explores the friendship between Stephen Biko (Denzel Washington), the black leader who died in prison after police interrogation, and Donald Woods, a white anti-apartheid newspaper editor (Kevin Kline). Coming next spring is Atlantic's *A World Apart*, about a family caught in the racial strife of the 1960s, with Barbara Hershey. Also planned: *The Long Weekend*, to star Julian Sands as Neil Aggett, the first white activist to die in jail.

Apartheid may shadow these productions as it did HBO's groundbreaking *Mandela*. It was shot last fall in Zimbabwe, where armed soldiers guarded the

set. (The local office of the exiled African National Congress had been bombed six months before.) When curious farmworkers gathered around and learned that a movie about Mandela was being shot, they waved their arms and shouted, "Man-de-la! Man-de-la!" Recalls Woodard: "Zimbabwe is newly free and glistening with hope. Having South African refugees all around us gave the script new urgency."

Winnie Mandela, unbowed in the prolonged battle she wages in her husband's name against racial repression, was an elusive presence to the filmmakers. Since her husband was jailed, she has been restricted, held in solitary confinement and banned. Scriptwriter Ronald Harwood arranged to interview her in the Orange Free State, where she had been forced to move, but when Winnie drove up to the meeting place where Harwood was waiting, she reversed suddenly, then accelerated away. He never found out why.

At the heart of the drama is the relationship of two people who had no physical contact for 22 years and were long limited to the rare letter and visit. Together, Woodard, with her serene face and molten core, and Glover, an actor of towering force and compassion, transcend an otherwise ordinary hagiography. As a young bride, Winnie draws her strength from Nelson's huge, healing hands cupped around her face. When she visits him in prison, Winnie, wearing native dress, brings to him the exalted dignity that she has painfully won. Surrounded by guards,

separated by plate glass, they are only allowed to say, "How are you?" "I'm fine." "How are you?" "Fine." "And the children?" "They are fine." Their eyes and smiles speak a silent reminder of apartheid's terrible human cost.

Unfortunately the filmmakers will not leave it at that. The movie is preachy and laden with speeches that hobble the narrative. Intricate political positions are drawn

with a numbing oversimplification. All South African policemen are sadistic slobs with warty faces. Nelson is an immaculate martyr, always stoic. Winnie is a saint. But for all its flaws, *Mandela* does dramatize a country's deadly turmoil. "South Africa has been locked off for so long," says Woodard. "I'm hoping for other movies. *Mandela* is just one star in a huge black sky."

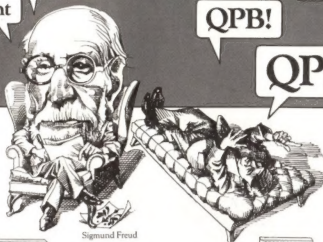
—By Denise Wardell, Reported by Elaine Duka/Los Angeles, with other bureaus



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## Essay

# How to Deal with Countries Gone Mad

Nothing is more difficult for the reasonable, settled, status quo state than to contemplate fanaticism. Those whose politics is determined by consensus and compromise become hopelessly unsettled in the face of single-minded zeal. The tendency is then to mistake it for irrationality. Ronald Reagan once famously referred to a group of regimes that defy the rules of international conduct as the "strangest collection of misfits, Looney Tunes and squalid criminals since the advent of the Third Reich." Less than two years later it was discovered that Reagan not only had dealt with these Looney Tunes but, in the words of his former chief of staff, had been snookered by them.

Reagan's list of loonies included Iran, Libya, North Korea, Cuba and Nicaragua. In fact, this is a list of small states that have tormented the U.S., delivering pinpricks that America has found impossible either to tolerate or prevent. Admitting this, however, is difficult. Easier to dismiss it all as the work of crazy states. Reagan was certainly right that these countries are "united by their fanatical hatred of the United States." But that in itself is not proof of derangement. Hatred is a common, often useful, phenomenon in international relations. And fanaticism is a measure of passion, not irrationality.

But assume, for the sake of argument, that there are regimes—Hitler's, Amin's, Khomeini's—whose ends are irrational. It is a mistake to think that because a state has lunatic ends, it must be clumsy, erratic or incompetent in carrying them out.

The fanatic can be both wise and wily. Indeed, the fanatic has a distinct advantage in choosing means. So utterly convinced is he of the rightness of his ends that he lacks ordinary inhibiting scruples in his choice of means. He need consider only their instrumental value, not their moral valence. Not for him messy moral conflicts when matching means and ends. Everything matches.

Zealotry, in fact, produces a kind of hyper-rationality of technique. The trains carrying innocents to the Holocaust ran remorselessly on time. That is fanaticism's special gift, its special horror: its ability to routinize, to rationalize, to bureaucratize murderous irrationality.

The coexistence of irrational ends and rational means is an enduring source of astonishment. It should not be. Once you decide to murder every Jew in Europe, Auschwitz follows logically. Once you have decided that the city is parasitic on the countryside (Khieu Samphan, leader of the Khmer Rouge, decided that at the Sorbonne and made it a tenet of his doctoral thesis), then the forced emptying of Cambodian cities at the cost of millions of lives follows logically. After all, the extirpation of parasites is a public service. Once you have decided, as did Ayatollah Khomeini, to redeem the Islamic world from idolatry, and once you believe, as he does, that martyrdom is the quickest way to the joys of paradise, then sending 14-year-old boys into the teeth of machine guns is by no means irrational.

This is not to say states cannot act crazily. It is to say we should not expect bizarre behavior from states just because we find their ends incomprehensible. In American dealings with Iran, for example, it is the U.S. that has behaved erratically, even laughably. After all, who sent whom the cake?

It is not just wrong but dangerous to underestimate the rationality of regimes that profess the craziest of ends. The very designation "crazy state" inclines those sure of their own sanity to let down their guard. Europe catastrophically underestimated Hitler because he was plainly a madman. That he was. It did not prevent him from conquering Europe.

A corollary to the notion that the crazy state is incompetent is the notion that it must ultimately self-destruct. Americans keep waiting for that to happen to the mullahs, the Sandinistas and the rest of the world's zealots. It is a wan hope. This century has not been kind to the notion that fanaticism must collapse from within. Generally, the crazy state does not self-destruct. On the contrary, it must be destroyed from without: Hitler by the Allies, the Khmer Rouge by Viet Nam, Idi Amin by Tanzania. (In his last years Stalin was no less irrational than Hitler, if not quite as bloody. Yet far from self-destructing, his regime, having succeeded in war, extended its hegemony over a great empire.)

The authority of the charismatic despot who drives the crazy

state rests largely on a myth of invincibility. That myth is best punctured from the outside. So long as the outside world cowers, accommodates and appeases, that authority grows unchallenged. Munich is the model. Once the outside world returns fire, that shock alone can be enough to shake the foundations of the despot's power. The American air raid on Libya is the model. Its military significance was minimal. Its psychological significance was enormous. Gaddafi has since been in retreat. And not just on the terrorism front. Within a year, his demoralized forces were routed and expelled from Chad, perhaps the weakest state in Central Africa.

Which bodes ill for those hoping to see Iran curbed today. Iran is today's paradigmatic crazy state: its ideology extreme and archaic, its leadership implacable, its population full of passionate intensity, celebrating martyrdom and incurring it.

Sightings of moderates notwithstanding, Iran shows no sign of collapse from within. Moreover, its prospects of being punctured from without are slim. Since crazy states tend to be destroyed from the outside, their fate is often a function of their geography. Hitler had the misfortune of being located in Central Europe; his pursuit of Lebensraum ran up against the greatest powers of the day. The Khmer Rouge's bad luck was to be living next door to an equally warlike Viet Nam. Otherwise it would be killing to this day, assuming there were any Cambodians left to kill. Gaddafi had the misfortune of being hard by the Mediterranean, an American lake. And Idi Amin's butchery came to an end after he had trespassed once too often on neighboring Tanzania, which muscled its way into Uganda and threw him out.

The mullahs have wisely taken great care not to provoke their powerful northern and eastern neighbors. Iran's ambitions lie to the southwest, where, if it can just get past Iraq, it faces states so weak they hardly deserve the name. With hegemony over the gulf, the oil and the holy places awaiting it in what is a veritable geopolitical desert, Khomeinism will push on until it encounters the shock of some irresistible outside force. Until then, Iran can be as crazy as it wants.

—By Charles Krauthammer



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